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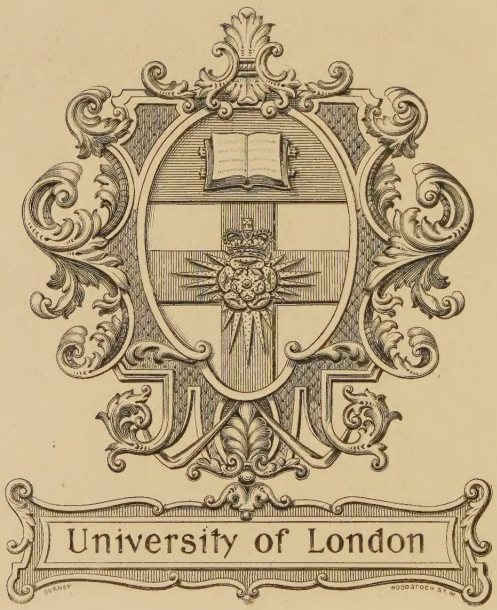

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

50° & 51 VICTORIÆ, 1887.

VOL. CCCXVI.

COMPRISING THE PERIOD FROM

THE FOURTEENTH DAY OF JUNE, 1887,

TO

THE SIXTH DAY OF JULY, 1887.

Seventh Volume of the Session.

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[1.30.]

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Criminal Law Amendment (Ireland) Bill [Bill 217]—

Bill *considered* in Committee [*Progress 15th June*] [NINETEENTH NIGHT] .. 421

After long time spent therein, and it being Ten o'clock, the Chairman, in pursuance of the Order of the House of the 10th of June, interrupted the Debate, and put the Question forthwith.

The Committee *divided;* Ayes 332, Noes 163; Majority 169. [10. P.M.]

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Whereupon the Chairman, in pursuance of the said Order, *forthwith reported* the Bill, with Amendments, to the House.

As amended, to be considered upon *Monday* 27th June, and to be *printed.* [Bill 290.]

Customs and Inland Revenue Bill [Bill 241]—

Bill *considered* in Committee 488

After some time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

National Debt and Local Loans Bill [Bill 266]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) 525

After short debate, Question put, and *agreed to:*—Bill *considered* in Committee:—Committee report Progress; to sit again upon *Monday* next.

Deeds of Arrangement Registration Bill [Bill 283]—

Moved, "That the Bill be re-committed in respect of Clauses 5 and 6,"—(*Mr. Marriott*) 530

Motion *agreed to:*—Bill *reported;* as amended, *considered:*—Bill read the third time, and *passed.*

NATIONAL DEBT AND LOCAL LOANS [FUNDS]—

Considered in Committee 530

Resolution *agreed to;* to be reported upon *Monday* next.

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MOTION.

Municipal Regulation (Constabulary, &c.) (Belfast) Bill—*Ordered* (*Colonel King-Harman, Mr. Solicitor General for Ireland*); *presented*, and read the first time [Bill 291] 530

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Smoke Nuisance Abatement (Metropolis) Bill (No. 43)—

Moved, "That the House do now resolve itself into Committee upon the said Bill,"—(*The Lord Stratheden and Campbell*) 531

Amendment *moved*, to leave out ("now,") and add at the end of the Motion ("this day three months,")—(*The Earl Brownlow.*)

After short debate, Amendment and Original Motion (by leave of the House) *withdrawn* :—Bill *referred* to a Select Committee.

Army—The Scots Guards—The Camp at Pirbright—Question, Viscount Midleton; Answer, The Under Secretary of State for War (Lord Harris) 539

Land Transfer Bill (No. 105)—

Moved, "That the House do now resolve itself into a Committee upon the said Bill,"—(*The Lord Chancellor*) 540

After short debate, Motion *agreed to*; House in Committee (on Re-commitment) (according to order).

House to be again in Committee on *Thursday* next. [4.45.]

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MR. SPEAKER—HIS DEGREE OF D.C.L. AT OXFORD—

Moved, "That during Mr. Speaker's temporary absence at Oxford on Wednesday next, Mr. Courtney, the Chairman of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order,"—(*Mr. W. H. Smith*) 564

Motion *agreed to.*

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PRIVILEGE — PUBLIC PETITIONS COMMITTEE — PETITIONS ON THE LONDON COAL AND WINE DUTIES CONTINUANCE BILL—

Special Report *considered* 565

Moved, "That Reginald Bidmead, having fabricated signatures to certain Petitions presented to this House, has been guilty of Contempt and a Breach of the Privileges of this House,"—(*Sir Charles Forster*) 566

After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Pickersgill:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 589

After short debate, Original Question put, and *agreed to.*

Moved, "That Reginald Bidmead do attend this House on Thursday next, the 23rd instant, at Four of the clock, to be reprimanded by Mr. Speaker,"—(*Sir Charles Forster*) 591

Amendment proposed, to leave out the words, "to be reprimanded by Mr. Speaker,"—(*Mr. Picton.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Original Question again proposed 592

After short debate, Original Question put, and *agreed to.*

Moved, "That the Orders that the several Petitions, viz. those from Greenwich and Camberwell; Homerton and Hackney; Ilford; North Hackney; North West Ham; Dalston, Hackney, and Kingsland; South East London; Hackney and Dalston; Southwark; Bromley St. Leonard; Clerkenwell; St. Pancras; Hackney and East London; Haggerston; Bow; Notting Hill; East London; North Hackney; Lower Clapton; South East London; Lambeth; Shoreditch; City of London; West Ham; Dalston; Dulwich and Peckham; Deptford and Greenwich; Brixton and Peckham; Bromley by Bow do lie upon the Table be read and discharged; and that the said Petitions be rejected,"—(*Sir Charles Forster*) 593

Motion *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £25,982, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Royal Palaces" 594

After short debate, Question put:—The Committee *divided;* Ayes 105, Noes 62; Majority 43.—(Div. List, No. 249.) [7.15 P.M.]

(2.) Motion made, and Question proposed, "That a sum, not exceeding £1,020, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Marlborough House" .. 598

After short debate, *Moved*, "That a sum, not exceeding £705, be granted for the said Services,"—(*Mr. O'Hea:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed, "That a sum, not exceeding £71,430, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Royal Parks and Pleasure Gardens" 603

After short debate, *Moved*, "That a sum, not exceeding £71,320 10*s.*, be granted for the said Services,"—(*Mr. Labouchere:*)—After further short debate, Question put, and *negatived.*

Original Question again proposed 610

After short debate *Moved*, "That a sum, not exceeding £70,467, be granted for the said Services,"—(*Mr. Labouchere:*)—After short debate, Question put:—The Committee *divided;* Ayes 50, Noes 91; Majority 41.—(Div. List, No. 250.)

[8.55. P.M.]

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SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Original Question again proposed 616

After short debate, *Moved*, "That a sum, not exceeding £69,430, be granted for the said Services,"—(*Mr. Labouchere:*)—Question put:—The Committee *divided;* Ayes 61, Noes 96; Majority 35.—(Div. List, No. 251.) [9.30 P.M.]

Original Question again proposed 625

After short debate, Original Question put, and *agreed to.*

Resolutions to be reported upon *Wednesday;* Committee to sit again upon *Wednesday.*

Coal Mines, &c. Regulation Bill [Bill 130]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Secretary Matthews*) 632

After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Donald Crawford:*)—After further short debate, Question put, and *agreed to:*—Debate *adjourned* till *Wednesday.*

National Debt and Local Loans Bill [Bill 266]—

Bill *considered* in Committee [*Progress 17th June*] 670

After short debate, Bill *reported;* as amended, to be *considered* upon *Wednesday.*

MOTION.

—o—

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE BANK HOLIDAY—ADJOURNMENT OF THE HOUSE—

Moved, "That this House will, at the rising of the House this day, adjourn until Wednesday,"—(*Mr. W. H. Smith*) 671

After debate, Question put, and *agreed to.*

ORDER OF THE DAY.

—o—

Allotments and Cottage Gardens Compensation Bill—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair:" 680

Question put:—The House *divided;* Ayes 90, Noes 4; Majority 86.—(Div. List, No. 252.) [1.40. A.M.]

Bill *considered* in Committee; Committee report Progress; to sit again on *Thursday* 30th June.

MOTIONS.

—o—

Public Worship Facilities Bill—*Ordered* (*Mr. Salt, Baron Dimsdale, Mr. Morrison, Mr. Whitmore*); *presented*, and read the first time [Bill 292] 680

Returning Officers' Expenses Bill—*Ordered* (*Mr. Stansfeld, Mr. John Morley, Mr. Broadhurst, Mr. Picton*); *presented*, and read the first time [Bill 293] .. 680

[1.45 A.M.]

COMMONS, WEDNESDAY, JUNE 22.

MR. SPEAKER'S ABSENCE—

In compliance with the Special Order of the House of Monday last, Mr. Courtney, the Chairman of Ways and Means, in the absence of Mr. Speaker, at Oxford, took the Chair as Deputy Speaker, pursuant to the Standing Order.

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MOTIONS.

MANCHESTER SHIP CANAL BILL—

Ordered, That the Minutes of the Evidence taken before the Committee on the Manchester Ship Canal Bill, 1883, and the Manchester Ship Canal Bill, 1884, and the Manchester Ship Canal Bill, 1885, and the Manchester Ship Canal Bill, 1886, be referred to the Committee on the Manchester Ship Canal Bill.—(*Sir Charles Forster.*)

ORDERS OF THE DAY—

Moved, "That the Coal Mines, &c. Regulation Bill have precedence this day of the other Orders of the Day,"—(*Mr. W. H. Smith*) 681

After short debate, Motion *agreed to.*

ORDER OF THE DAY.

Coal Mines, &c. Regulation Bill [Bill 130]—COMMITTEE [ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Question [20th June], "That Mr. Speaker do now leave the Chair" (for Committee on the Bill:)—Question again proposed:—Debate *resumed* 682

After debate, Question put, and *agreed to:*—Bill *considered* in Committee [FIRST NIGHT].

After some time spent therein, it being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow.*

MOTIONS.

Elementary Education Acts Amendment Bill—*Ordered*, (*Captain Heathcote, Mr. H. T. Davenport, Mr. Haldane, Mr. Heath*); *presented*, and read the first time [Bill 295] 748

ADJOURNMENT—

Moved, "That this House do now adjourn,"—(*Mr. Jackson*) .. 749

It being Six of the clock, Mr. Deputy Speaker adjourned the House without putting the Question.

LORDS, THURSDAY, JUNE 23.

DUBLIN GARRISON—MOTION FOR A RETURN—

Moved, That there be laid before the House—

"A nominal Return of all cases of febrile and respiratory disease which have occurred in the Dublin Garrison since 1st January 1881, distinguishing in each case the barracks,"—(*The Earl Beauchamp*) 749

After short debate, Motion *agreed to.*

DEFENCES OF THE EMPIRE—VOLUNTEER COAST DEFENCE—THE NAVAL VOLUNTEER HOME DEFENCE ASSOCIATION—MOTION FOR PAPERS—

Moved for—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty in sanctioning a scheme for obtaining and arming a steamer for the use of the local Royal Artillery Volunteer Force at Brighton,"—(*The Earl Cowper*) .. 755

After short debate, Motion (by leave of the House) *withdrawn.* [5.15.]

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ORDERS OF THE DAY.

—o—

Privilege—Public Petitions Committee (Special Report)—Petitions on the London Coal and Wine Duties Continuance Bill—

Order for the Attendance of Reginald Bidmead read 783

The Sergeant-at-Arms brought him to the Bar, where he received a Reprimand from Mr. Speaker, and was then ordered to withdraw.

Moved, "That what has been now said by Mr. Speaker in reprimanding Reginald Bidmead be entered in the Journals of this House,"—(*Mr. W. H. Smith*) .. 783

Motion *agreed to.*

Ordered, Nemine Contradicente, That what has been now said by Mr. Speaker in reprimanding Reginald Bidmead be entered in the Journals of this House.—(*Mr. William Henry Smith.*)

Coal Mines, &c. Regulation Bill [Bill 130]—

Bill *considered* in Committee [*Progress 22nd June*] [Second Night] .. 785

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

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EAST INDIA AND CHINA MAIL CONTRACT — RESOLUTION [ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Question [7th June],

"That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved."

Question again proposed:—Debate *resumed* 883

Amendment proposed,

To leave out the words "be approved," and add the words "be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons,"—(*Mr. Provand*) .. 904

Question proposed, "That the words 'be approved' stand part of the Question:"—After further debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Esslemont:*)—After further short debate, Question put, and *agreed to:*—Debate *adjourned* till *Thursday* next. [2.40.]

LORDS, FRIDAY, JUNE 24.

Their Lordships met;—and having gone through the Business on the Paper without debate, [House adjourned] [4.45.]

COMMONS, FRIDAY, JUNE 24.

QUESTIONS.

—o—

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After long time spent therein, it being ten minutes to Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow.*

Christchurch (Southampton) Charter (Correction of Error) Bill [*Lords*] [Bill 209]—

Bill *considered* in Committee 1005

Bill *reported,* without Amendment; to be read the third time upon *Monday* next.

BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS—Observations, The First Lord of the Treasury (Mr. W. H. Smith); Question, Sir Joseph Pease; Answer, Mr. W. H. Smith 1006

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The House resumed its Sitting at Nine of the clock. [House counted out.] [9.5.]

LORDS, MONDAY, JUNE 27.

Land Transfer Bill (No. 105)—

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Amendments made; the Report thereof to be received on *Monday* next.

[6.45.]

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Criminal Law Amendment (Ireland) Bill [Bill 290]—

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Customs and Inland Revenue Bill [Bill 241]—
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After short debate, Bill to be read the third time *To-morrow.*

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SUPPLY—REPORT—
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Pauper Lunatic Asylums (Ireland) (Superannuation) Bill—
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First Offenders Bill [Bill 189]—
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Moved, "That the Debate be now adjourned,"—(*Mr. Isaacs:*)—Question put, and *negatived.*
Original Question put, and *agreed to:*—Bill read the third time, and *passed.*

NATIONAL PROVIDENT INSTITUTION BILL [*Lords*] [STAMP DUTIES]—
Considered in Committee 1120
Resolution *agreed to;* to be reported *To-morrow.*

TRAMWAYS PROVISIONAL ORDERS (No. 1) BILL [BIRMINGHAM CENTRAL TRAMWAYS (EXTENSIONS) ORDER] AND [OLDHAM, ASHTON-UNDER-LYNE, HYDE, AND DISTRICT ORDER] [REPAYMENT OF DEPOSITS]—
Considered in Committee 1121
Resolutions *agreed to;* to be reported *To-morrow.*

WAYS AND MEANS—
Considered in Committee.
(In the Committee.)
Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1888, the sum of £13,675,659, be granted out of the Consolidated Fund of the United Kingdom.
Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

MOTION.

Local Government Provisional Order (No. 9) Bill—*Ordered* (*Mr. Long, Mr. Ritchie*); *presented,* and read the first time [Bill 296] 1121

LORDS, TUESDAY, JUNE 28.

CENTRAL ASIA—AFFAIRS OF AFGHANISTAN—Question, The Earl of Rosebery; Answer, The Secretary of State for India (Viscount Cross) .. 1122

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Metropolitan Open Spaces Acts Extension Bill (No. 69)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Mount-Temple*) .. 1123

After short debate, Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the *8th of July* next.

Markets and Fairs (Weighing of Cattle) Bill (No. 72)—

House in Committee (according to Order) 1125

Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 139.)

PATTERNS FOR WARLIKE STORES—MILITARY ADMINISTRATION—RESOLUTION—

Moved to resolve, "That it is desirable to appoint a 'Commission of high authority' (as recommended in paragraph 197 of the Report of the Royal Commission appointed 'to inquire into the system under which patterns of warlike stores are adopted, and the stores obtained and passed for Her Majesty's Service") to consider and determine the important questions raised in that Report, as well as those which the Commissioners felt were 'beyond their province to discuss,'"—(*The Lord Chelmsford*) .. 1127

After debate, Motion (by leave of the House) *withdrawn*.

NAVAL VOLUNTEERS—MOTION FOR PAPERS—

Moved, That there be laid before the House—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty as to sanctioning a scheme for obtaining and arming a steamer for the use of the Local Royal Artillery Volunteer Force at Brighton,"—(*The Earl Cowper*) .. 1139

After short debate, Motion *agreed to*.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—NAVAL REVIEW AT SPITHEAD—Question, Lord Braye; Answer, Lord Elphinstone (A Lord in Waiting) 1142

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Criminal Law Amendment (Ireland) Bill [Bill 290] — CONSIDERATION [ADJOURNED DEBATE] [SECOND NIGHT]—

Further Proceeding on Consideration, as amended, *resumed* .. 1167

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Clancy:*)—After further short debate, Motion *agreed to:*—Debate *adjourned* till *To-morrow*.

WAYS AND MEANS—REPORT—

Consolidated Fund (No. 2) Bill

Resolution [June 27] *reported* 1223

After short debate, Resolution *agreed to:*—Bill *ordered* (*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*); *presented*, and read the first time.

Truck Bill [Bill 109]—

Bill *considered* in Committee [*Progress 13th May*] 1223

After some time spent therein, Bill *reported;* as amended, to be considered upon *Thursday*, and to be *printed*. [Bill 299.]

EDUCATION (SCOTLAND) ACTS AMENDMENT (No. 2) [EXPENSES]—

Considered in Committee 1258

Resolution *agreed to;* to be reported *To-morrow*.

MOTION.

—o—

Presumption of Life Limitation (Scotland) Act (1881) Amendment Bill—

Ordered (*Mr. Buchanan, Mr. Asquith, Mr. Bryce, Mr. James Campbell, Mr. Fraser-Mackintosh*); *presented*, and read the first time [Bill 300] 1258

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MOTION.

—o—

Dublin Hospital Board, &c. Bill—*Ordered* (*Mr. Dwyer Gray, Mr. T. D. Sullivan, Mr. Timothy Harrington, Mr. Murphy*); *presented*, and read the first time [Bill 302] 1276

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Municipal Corporations Acts (Ireland) Amendment (No. 2) Bill (No. 116)—

Moved, "That the House do now resolve itself into Committee upon the said Bill,"—(*The Earl of Erne*) 1277

After short debate, Motion *agreed to;* House in Committee accordingly.

Amendments made; the Report thereof to be received *To-morrow;* and Bill to be *printed*, as amended. (No. 143.)

Incumbents' Resignation Act (1871) Amendment Bill—

Moved, "That the House do now resolve itself into Committee upon the said Bill,"—(*The Duke of Buckingham and Chandos*) 1281

Motion *agreed to*:—House in Committee accordingly.

Amendments made; the Report thereof to be received *To-morrow;* and Bill to be *printed*, as amended. (No. 144.)

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The Earl of Mar—Motion for Printing a Petition—

Moved, "That the Petition of the Earl of Mar, presented on the 27th instant, be printed,"—(*The Earl of Wemyss*) 1287

After short debate, Motion (by leave of the House) *withdrawn.*

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—NAVAL REVIEW AT SPITHEAD—Questions, Lord Braye, The Marquess of Exeter; Answers, Lord Elphinstone 1289

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Moved, "That this House do now adjourn,"—(*Sir Wilfrid Lawson*) .. 1325

After debate, Question put:—The House *divided;* Ayes 115, Noes 276; Majority 161.—(Div. List, No. 275.)

BUSINESS OF THE HOUSE (PROCEDURE ON THE CRIMINAL LAW AMENDMENT (IRELAND) BILL)—RESOLUTION—

Moved, "That, at Seven o'clock p.m. on Monday the 4th day of July, if the proceedings on the Consideration of the Report of the Criminal Law Amendment (Ireland) Bill be not previously concluded, the Speaker shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair:

"Thereafter, such Amendments only may be moved as, being otherwise in Order, were printed in the Order Book when public notice of this Order was given, and the Question on such remaining Amendments, if moved, shall be put forthwith:

"Mr. Speaker may, at his discretion, take the Vote of the House, after the lapse of two minutes as indicated by the sand-glass, by calling upon the Members who support, and who challenge his decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the House, or name Tellers for a Division:

"From and after the passing of this Order, no Motion of Adjournment shall be allowed unless moved by one of the Members in charge of the Bill, and the Question on such Motion shall be put forthwith,"—(*Mr. William Henry Smith*) 1337

After debate, Question put:—The House *divided;* Ayes 220, Noes 122; Majority 98.

Division List, Ayes and Noes 1350

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—o—

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After short debate, Bill to be read the third time upon *Tuesday* next, and to be *printed*. [Bill 305.]

Crofters Holdings (Scotland) Bill [*Lords*] [Bill 287]—
Bill *considered* in Committee 1354
After some time spent therein, Bill *reported;* as amended, to be considered *To-morrow*.

Criminal Law (Scotland) Procedure (No. 2) Bill [Bill 196]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 1370
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Dr. Cameron.*)
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.
Main Question put, and *agreed to*:—Bill *considered* in Committee.
After some time spent therein, Bill *reported;* as amended, to be considered upon *Thursday* next.

Licensed Premises (Earlier Closing) (Scotland) Bill [Bill 153]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Dr. Cameron*) 1408
Moved, "That this House do now adjourn,"—(*Colonel Hambro:*)—Motion, by leave, *withdrawn*.
Original Question put, and *agreed to*:—Bill *considered* in Committee.
After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow*.

Allotments and Cottage Gardens Compensation Bill—
Bill *considered* in Committee [*Progress 20th June*] 1412
After some time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 306.]

MOTION.

—o—

Distressed Unions (Ireland) Bill—*Ordered* (*Mr. Arthur Balfour, Mr. Solicitor General for Ireland, Colonel King-Harman*); *presented*, and read the first time [Bill 307] 1428

[1.45.]

LORDS, FRIDAY, JULY 1.

Army—Camp of the Guards at Pirbright—Question, Lord Sandhurst; Answer, The Under Secretary of State for War (Lord Harris) .. 1428

Irish Land Law Bill (No. 106)—
Order of the Day for receiving the Report of the Amendments made by the Committee of the Whole House (on Re-commitment) read .. 1429
Moved, "That the said Report be now received:"—After debate, Motion *agreed to*.
Amendments *reported* accordingly:—Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 152.) [1.0 A.M.]

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CRIMINAL LAW AMENDMENT (IRELAND) BILL—Question, Mr. W. E. Gladstone; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1501

ORDERS OF THE DAY.

—o—

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CULTIVATION OF WASTE LANDS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, ownership of land should carry with it the duty of cultivation, and that in all cases where land capable of cultivation with profit, and not devoted to some purpose of public utility or enjoyment, is held in a waste or uncultivated state, the local authorities ought to have the power to compulsorily acquire such land by payment to the owner for a limited term of an annual sum not exceeding the then average net annual produce of the said lands in order that such local authorities may in their discretion let the said lands to tenant cultivators, with such conditions as to term of tenancy, rent, reclamation, drainage, and cultivation respectively as shall afford reasonable encouragement, opportunities, facilities, and security for the due cultivation and development of the said land,"—(*Mr. Bradlaugh,*) —instead thereof 1501

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 97, Noes 173; Majority 76.—(Div. List, No. 279.) [7.15 P.M.]

Main Question again proposed 1524

RURAL SANITARY DISTRICTS — LOCAL RATES ASSESSMENT — RATING OF DEMESNES, MANSIONS, AND PARKS—Observations, Mr. Conybeare, Mr. Isaacs; Reply, The President of the Local Government Board (Mr. Ritchie); Observations, Mr. Handel Cossham 1525

PIERS AND HARBOURS (IRELAND)—HARBOUR ACCOMMODATION IN DONEGAL —Observations, Mr. O'Hea; Reply, The Secretary to the Treasury (Mr. Jackson):—Short debate thereon 1533

Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived.*

CRIMINAL LAW (SCOTLAND) PROCEDURE [CONSOLIDATED FUND]— *Considered* in Committee.

(In the Committee.)

Moved, "That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of increased Salaries to the Lord Justice General, the Lord Justice Clerk, and the Lords of Session of the Justiciary Courts in Scotland, in pursuance of any Act of the present Session to simplify and amend the Criminal Law of Scotland and its procedure, and to alter the Constitution of the Justiciary and Sheriff Courts in Scotland,"—(*Mr. J H. A. Macdonald*) 1540

After short debate, Question put, and *agreed to:*—Resolution to be reported upon *Monday* next.

Merchandise Marks Law Consolidation and Amendment (*re-committed*) **Bill** [Bill 304]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Baron Henry De Worms*) 1543

After short debate, Question put, and *agreed to:*—Bill *considered* in Committee; Committee report Progress; to sit again upon *Monday* next.

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MOTION.

ADJOURNMENT OF THE HOUSE—

Moved, "That this House do now adjourn,"—(*Mr. Henry H. Fowler :*)—
After short debate, Question put, and *agreed to*. [12.5.]

LORDS, MONDAY, JULY 4.

THE IMPERIAL INSTITUTE — PLAN OF THE BUILDING — Question, Observations, The Earl of Wemyss; Reply, Lord Herschell 1550

CANADA—CHANGES IN THE TARIFF—THE CORRESPONDENCE—Address for—
"Correspondence with the Canadian Government respecting the proposed changes in the tariff,"—(*The Lord Lamington*) 1550
After short debate, Address *agreed to*.

BANTRY BOARD OF GUARDIANS—MOTION FOR CORRESPONDENCE—
Moved, "That there be laid before the House, correspondence, if any, that has passed between the officer commanding H.M.S. "Shannon" and the Board of Guardians of the Bantry Union with reference to the offer of a supply of fresh water to the sanitary authority by the said officer,"—(*The Lord Ventry*) 1561
After short debate, Motion (by leave of the House) *withdrawn*.

Irish Land Law Bill (No. 152)—
Moved, "That the Bill be now read 3ª,"—(*The Lord Privy Seal*) .. 1563
After debate, Motion *agreed to ;* Bill read 3ª accordingly.
On Question, "That the Bill do pass?"—After debate, *Resolved* in the *affirmative :*—Bill *passed*, and sent to the Commons.

Markets and Fairs (Weighing of Cattle) Bill (No. 139)—
Moved, "That the Bill be now read 3ª,"—(*The Earl of Camperdown*) .. 1578
Motion *agreed to ;* Bill read 3ª accordingly, and *passed*, and sent to the Commons.

Trusts (Scotland) Act (1867) Amendment Bill (No. 117)—
Moved, "That the Bill be now read 2ª,"—(*The Marquess of Lothian*) .. 1578
Motion *agreed to ;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next. [7.45.]

COMMONS, MONDAY, JULY 4.

PRIVATE BUSINESS.

Belfast Main Drainage Bill (by Order)—LORDS' AMENDMENTS [ADJOURNED DEBATE]—
Order read, for resuming Adjourned Debate on Question [20th June], "That the Lords' Amendments be now taken into Consideration :"—Question again proposed :—Debate *resumed* 1580
After short debate, Amendment proposed, to leave out the word "now," and add the word "Thursday,"—(*Mr. M. J. Kenny.*)
Question proposed, "That the word 'now' stand part of the Question :"—After short debate, Question put, and *negatived* :—Word "Thursday" *added*.
Main Question, as amended, put, and *agreed to :*—Lords' Amendments to be taken into Consideration upon *Thursday*.

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CRIMINAL LAW AMENDMENT (IRELAND) BILL—ALLEGED VIOLATION OF A PLEDGE BY THE CHIEF SECRETARY — Questions, Mr. Anderson, Sir William Harcourt, Mr. Waddy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1610

MOTION.

—o—

ORDERS OF THE DAY—RESOLUTION—

Moved, "That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion on Tuesday, Government Orders having priority; that Government Orders have priority on Wednesday; and that Standing Order XXI., relating to Notices on going into Committee of Supply on Monday and Thursday, be extended to the other days of the week."—(*Mr. William Henry Smith*) .. 1614

After debate, Amendment proposed,

At the end of the Question, to add the words "but that Tuesday, the 26th of July, be excepted from the Order,"—(*Sir Wilfrid Lawson*) 1631

Question proposed, "That those words be there added:"—After further debate, Question put:—The House *divided;* Ayes 85, Noes 165; Majority 80.—(Div. List, No. 280.)

ORDERS OF THE DAY—RESOLUTION—*continued.*

Main Question again proposed 1655

Amendment proposed,

At the end of the Question, to add the words "but that a day be granted for the discussion of the present condition of the agricultural interest,"—(*Mr. Esslemont*) .. 1656

Question proposed, "That those words be there added:"—After short debate, Question put:—The House *divided;* Ayes 82, Noes 139; Majority 57.—(Div. List, No. 281.)

Main Question put:—The House *divided;* Ayes 146, Noes 85; Majority 61.—(Div. List, No. 282.)

ORDERS OF THE DAY.

—o—

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £37,635, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Buildings of the Houses of Parliament" 1658

Moved, "That a sum, not exceeding £37,535, be granted for the said Service,"—(*Mr. Cavendish Bentinck:*)—After debate, Question put:—The Committee *divided;* Ayes 87, Noes 160; Majority 73.—(Div. List, No. 283.)

Original Question again proposed 1674

After short debate, *Moved*, "That a sum, not exceeding £37,135, be granted for the said Service,"—(*Mr. Cremer:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1680

After short debate, Original Question put, and *agreed to.*

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

EAST INDIA AND CHINA MAIL CONTRACT — RESOLUTION [ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th June],

"That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved"

And which Amendment was,

To leave out the words "be approved," and add the words "be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons,"—(*Mr. Provand.*)

Question again proposed, "That the words 'be approved' stand part of the Question:"—Debate *resumed* 1682

After debate, Question put, and *agreed to:*—Main Question put, and *agreed to.*

Resolved, That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved.

Merchandise Marks Law Consolidation and Amendment (*re-committed*) Bill [Bill 304]—

Bill *considered* in Committee [*Progress 1st July*] 1727

After some time spent therein, Committee report Progress; to sit again upon *Thursday.*

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Public Libraries Acts Amendment (No. 2) Bill [Bill 220]—
Moved, "That the Bill be now read a second time,"—(*Sir John Lubbock*) 1748
Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Allotments and Cottage Gardens Compensation Bill—
Bill, as amended, *considered* 1749
After short debate, *Moved*, "That the Bill be now read the third time,"—(*Sir Edward Birkbeck*:)—After further short debate, Question put, and *agreed to*:—Bill read the third time, and *passed*.

Parliamentary Elections (Seamen's Vote) Bill [Bill 190]—
Moved, "That the Bill be now read a second time,"—(*Mr. Atkinson*) .. 1757
After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Bradlaugh*:)—Question put:—The House *divided*; Ayes 39, Noes 52; Majority 13.—(Div. List, No. 285.) [3.15 A.M.]

Original Question again proposed 1759
Moved, "That this House do now now adjourn,"—(*Mr. Illingworth*:)—After short debate, Motion, by leave, *withdrawn*.
Original Question again proposed:—Debate *adjourned* till *Friday*.

Water Companies (Regulation of Powers) Bill [Bill 141]—
Moved, "That the Bill be now read a second time,"—(*Captain Colomb*) .. 1760
After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Butter Substitutes Bill—
Special Report from the Select Committee on the Butter Substitutes Bill, with Minutes of Evidence, *brought up*, and read;
Oleomargarine (Fraudulent Sale) Bill *reported*, with an amended Title; Short Title changed to "Butterine (Fraudulent Sale) Bill;" Bill, as amended, to be *printed* [Bill 309]; *re-committed* to a Committee of the Whole House for *Thursday*.
Butter Substitutes Bill *reported*, without Amendment.
Special Report and other Reports to lie upon the Table, and to be *printed*. [No. 208.]

MOTIONS.

Life Leases Conversion Bill—*Ordered* (*Sir Edmund Lechmere, Mr. Hastings, Mr. Puleston, Mr. Radcliffe Cooke*); *presented*, and read the first time [Bill 310] .. 1761

Agricultural Labourers' Holidays (Scotland) Bill—*Ordered* (*Mr. Thorburn, Mr. Barclay, Dr. Clark*); *presented*, and read the first time [Bill 311] 1761
[3.45.]

LORDS, TUESDAY, JULY 5.

THE COLONIAL CONFERENCE—THE REPORT OF THE PROCEEDINGS—Questions, The Earl of Carnarvon, The Earl of Rosebery; Answers, The Under Secretary of State for the Colonies (The Earl of Onslow), The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) 1762

EGYPT—THE ANGLO-EGYPTIAN CONVENTION—Questions, The Earl of Rosebery; Answers, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) 1763

TECHNICAL EDUCATION BILL—Question, Lord Monteagle; Answer, The Lord President of the Council (Viscount Cranbrook) 1764

THE IRISH LAND LAW BILL—THIRD READING—Personal Explanation, Lord Fitzgerald 1764

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First Offenders Bill (No. 140)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Belmore*) .. 1765
After short debate, Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 21*st instant.*

Islands of the Southern Pacific—Religious Persecutions in Tonga—Question, Observations, The Archbishop of York; Reply, The Under Secretary of State for the Colonies (The Earl of Onslow) .. 1770

[5.30.]

COMMONS, TUESDAY, JULY 5.

QUESTIONS.

War Office—Albany Barracks, Parkhurst, Isle of Wight—Unwholesome Water—Question, Dr. Cameron; Answer, The Secretary of State for War (Mr. E. Stanhope) 1771

Scotland—Restoration of Dunblane Cathedral—Family Burial Rights—Question, Dr. Cameron; Answer, The First Commissioner of Works (Mr. Plunket) 1772

The Magistracy (England and Wales) — Flintshire Magistrates—Mr. B. E. Phillips, J.P.—Question, Mr. J. Roberts; Answer, The Secretary of State for the Home Department (Mr. Matthews) .. 1772

The Magistracy (England and Wales) — Flintshire Magistrates — Question, Mr. J. Roberts; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1772

Admiralty—Naval Officers and Men at St. Charles's Roman Catholic Church, Hull—Question, Mr. Johnston; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1773

North-East Africa—The French at Dongarita, on the Somali Coast—Question, Mr. Bryce; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1774

War Office—The Army Purchase Commission, 1870-1—Compensation—Question, Colonel Hughes-Hallett; Answer, The Financial Secretary, War Department (Mr. Brodrick) 1774

War Office (Ordnance Department)—Army Stores—Issue of Hides for the Cavalry and Artillery—Questions, Colonel Hughes-Hallett, Mr. Hanbury; Answers, The Surveyor General of Ordnance (Mr. Northcote) 1775

War Office — Horse Artillery of First Army Corps — Question, Colonel Hughes-Hallett; Answer, The Secretary of State for War (Mr. E. Stanhope) 1776

War Office — Army Medical Officers — Question, Dr. Farquharson; Answer, The Secretary of State for War (Mr. E. Stanhope) .. 1776

North Sea Liquor Traffic—The Conference at the Hague—Question, Sir Edward Birkbeck; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1776

Islands of the Southern Pacific—Religious Persecutions in Tonga—Question, Mr. W. H. James; Answer, The Secretary of State for the Colonies (Sir Henry Holland) 1777

War Office (Ordnance Department)—The Designers of the 110-ton and 43-ton Guns—Question, Mr. Caleb Wright; Answer, The Surveyor General of Ordnance (Mr. Northcote) 1777

War Office — The Re-organization in 1879 — Question, Mr. Caleb Wright; Answer, The Financial Secretary, War Department (Mr. Brodrick) 1778

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War Office — Medical Staff — Surgeon Major Sandford Moore — Question, Dr. Tindal Robertson; Answer, The Secretary of State for War (Mr. E. Stanhope) 1778

Local Government Board (Ireland)—Confirmation Bill—Parliamentary Agents—Question, Mr. J. E. Redmond; Answer, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) .. 1779

Licensing Laws — Extension of Hours on Jubilee Night — Questions, Major Rasch, Sir Wilfrid Lawson; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1781

The Royal Titles—The Indian Titles—Questions, Mr. Howell, Mr. Conybeare; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1781

Law and Police (Metropolis)—Arrest of Miss Cass—Questions, Mr. Atherley-Jones, Mr. Johnston, Mr. Conybeare, Mr. J. Chamberlain, Mr. Labouchere, Mr. Handel Cossham; Answers, The Secretary of State for the Home Department (Mr. Matthews); Questions, Mr. H. Gardner, Mr. T. W. Russell [No reply] 1782

Westminster Abbey—The Coronation Chair of Edward I.—Questions, Sir Thomas Esmonde, Mr. Bradlaugh; Answers, The First Commissioner of Works (Mr. Plunket) 1785

War Office—The Jubilee Inspection at Aldershot—Questions, Mr. Cunninghame Graham; Answers, The Secretary of State for War (Mr. E. Stanhope) 1786

Inland Navigation and Drainage (Ireland)—Government Subvention of £50,000—The River Robe—Question, Mr. J. F. X. O'Brien; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1787

Egypt—The Anglo-Egyptian Convention—Questions, Mr. Bryce, Mr. Dillon; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1787

Admiralty—Order in Council, 1853—A Special Pension—Question, Mr. Esslemont; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1788

Piers and Harbours (Ireland)—Tralee and Fenit Harbour Commissioners—Questions, Mr. Edward Harrington; Answers, The Secretary to the Board of Trade (Baron Henry De Worms) .. 1789

War Office—Honorary Colonels—Sir Pertab Singh—Prince Henry of Battenberg—Questions, Mr. Labouchere, Mr. Conybeare; Answers, The Secretary of State for War (Mr. E. Stanhope) .. 1790

Civil Service Writers—The Lower Division—Promotion—Question, Mr. Lawson; Answer, The Secretary to the Treasury (Mr. Jackson) .. 1790

Irish Land Law Bill—Purchasers of Tithe-Rent Charge—Question, Sir John Lubbock; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1791

Parliamentary Elections — Interference of Peers at Elections—Question, Sir Wilfrid Lawson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1791

Law and Justice—Discontinuance of Assizes for Civil Business in certain County Towns—Question, Sir Walter B. Barttelot; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1792

Distressed Unions (Ireland) Bill—Question, Mr. Dillon; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1792

Irish Land Law Bill—Questions, Mr. Dillon, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1793

Business of the House—Questions, Mr. Mundella, Mr. Bartley; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1793

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PARLIAMENTARY ELECTIONS (SEAMEN'S VOTE) BILL — Questions, Mr. Henry H. Fowler, Mr. Campbell-Bannerman; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The Under Secretary of State for the Home Department (Mr. Stuart-Wortley) 1794

TRUCK BILL—Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1795

MOTION.

—o—

NEW RULES OF PROCEDURE (1882)—RULE 2 (ADJOURNMENT OF THE HOUSE)—LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS—

Moved, "That this House do now adjourn,"—(*Mr. Atherley-Jones*) .. 1796

After debate, Question put:—The House *divided;* Ayes 153, Noes 148; Majority 5.

Division List, Ayes and Noes 1823

[7.10.]

COMMONS, WEDNESDAY, JULY 6.

QUESTION.

—o—

LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS—Question, Mr. W. L. Bright; Answer, The Secretary of State for the Home Department (Mr. Matthews):—Short debate thereon 1826

ORDERS OF THE DAY.

—o—

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £1,700, Gordon Monument.

(2.) Motion made, and Question proposed, "That a sum, not exceeding £92,255, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Public Buildings in Great Britain, including various special Works; for providing the necessary supply of Water; for Rents of Houses hired for the accommodation of Public Departments, and Charges attendant thereon" 1830

Moved, "That the Item of £1,140, for Repairs in the Tower of London, be reduced by the sum of £50,"—(*Mr. Shaw Lefevre:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1836

After short debate, *Moved*, "That the Item of £700, Rent of No. 34, Queen Anne's Gate, Residence of the First Naval Lord of the Admiralty, be omitted from the proposed Vote,"—(*Mr. Labouchere:*)—After further short debate, Question put:—The Committee *divided;* Ayes 107, Noes 174; Majority 67.—(Div. List, No. 287.)

Original Question again proposed 1849

After short debate, Original Question put, and *agreed to.*

(3.) £10,970, Furniture of Public Offices, Great Britain.—After short debate, Vote *agreed to* 1849

(4.) Motion made, and Question proposed, "That a sum, not exceeding £138,627, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings in Great Britain, including Furniture, Fuel, and sundry Miscellaneous Services" 1860

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SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

After short debate, *Moved*, "That a sum, not exceeding £126,330, be granted for the said Service,"—(*Mr. Labouchere :*)—After further debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £19,440, County Court Buildings.

(6.) £3,737, Metropolitan Police Court Buildings.

(7.) £1,070, Sheriff Court Houses, Scotland.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £150,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Survey of the United Kingdom, including the revision of the Survey of Ireland, Maps for use in proceedings before the Land Judges in Ireland, publication of Maps, and engraving the Geological Survey" 1892

After short debate, *Moved*, "That the Item of £15,500, for the revision of the Survey of Great Britain, be reduced by £10,500,"—(*Mr. Arthur O'Connor :*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1909

After short debate, it being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress.

Resolutions to be reported *To-morrow ;* Committee also report Progress; to sit again upon *Friday.* [5.50.]

LORDS.

SAT FIRST.

TUESDAY, JUNE 14.

The Lord Vivian, after the death of his father.

THURSDAY, JUNE 30.

The Lord Silchester (Earl of Longford), after the death of his father.

COMMONS.

NEW WRITS ISSUED.

FRIDAY, JUNE 17.

For *Lincoln County* (*Spalding Division*), *v.* Murray Edward Gordon Finch-Hatton, esquire, commonly called the Honourable Murray Edward Gordon Finch-Hatton, now Earl of Winchilsea and Nottingham, called up to the House of Peers.

THURSDAY, JUNE 30.

For *University of Dublin*, *v.* Right Honble. Hugh Holmes, Judge of Her Majesty's High Court of Justice in Ireland.

For *North Paddington*, *v.* Lionel Louis Cohen, esquire, deceased.

MONDAY, JULY 4.

For *County of Middlesex* (*Hornsey Division*), *v.* Sir James Macnaghten McGarel-Hogg, baronet, K.C.B., now Baron Magheramorne, called up to the House of Peers.

For *County of Cornwall* (*St. Ives Division*), *v.* Sir John St. Aubyn, baronet, now Baron St. Levan, called up to the House of Peers.

For *County of Southampton* (*North or Basingstoke Division*), *v.* Right Honble. George Sclater-Booth, Chiltern Hundreds.

For *Borough of Coventry*, *v.* Henry William Eaton, esquire, Manor of Northstead.

NEW MEMBER SWORN.

MONDAY, JULY 4.

County of Lincoln (*Holland or Spalding Division*)—Halley Stewart, esquire.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE *TWENTY-FOURTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SEVENTH VOLUME OF SESSION 1887.

HOUSE OF LORDS,

Tuesday, 14th June, 1887.

MINUTES.]—SAT FIRST IN PARLIAMENT—The Lord Vivian, after the death of his father.
SELECT COMMITTEE—Rabies in Dogs, *nominated*.
PUBLIC BILLS — *Committee* — Quarries (83), *debate adjourned*.
Committee — Report — Colonial Service (Pensions) (98).
PROVISIONAL ORDER BILLS—*Committee—Report* —Commons Regulation (Ewer) * (108); Commons Regulation (Laindon) * (107).
Third Reading—Pier and Harbour * (103), and *passed*.

EVICTIONS (IRELAND) — THE EVICTIONS AT BODYKE, CO. CLARE.

QUESTION. OBSERVATIONS.

THE EARL OF CARNARVON: I wish to ask a Question of which I have given private Notice to my noble Friend the Lord Privy Seal, who, I believe, usually deals with Irish matters. My Question refers to the progress of the Bodyke evictions. I wish to ask my noble Friend, How soon he considers it likely that these evictions will be carried through? We know that there is a remarkable state of things there. We have a large military and police force, we have an open defiance of the law, and we have a series of what I can only term siege operations in order to carry the houses in which the recusants are barricaded, and enforce the law; and this state of things has been protracted now for some five or six days. Though I apprehend my noble Friend will be able to tell us that it approaches its conclusion, I, for one, cannot understand how this process should have been so long protracted. You have there an officer high in command, and, I believe, of considerable experience—an officer upon whom, I assume, the progress of this matter depends; and I venture to say, without fear of contradiction, that to carry these half-dozen Irish cottages or farmhouses is really a very simple matter. It is a simple

matter, which ought to be an affair of hours, and it ought to be done without any loss of life. Now, my view of this matter is distinctly this. I think it is important that a military force should never be used by the civil authorities, especially in Ireland, unless where it is clearly necessary. But if it be necessary, I think it should be used so effectively that the whole matter should not create a long interval of struggle and public controversy, but should be settled in a very few hours. My noble and learned Friend the Lord Chancellor of Ireland will remember that in two or three cases when I was in Ireland there were difficulties of a somewhat similar nature, and I urged the Commander-in-Chief to send so overwhelming a force, and to take such measures, that resistance would be absolutely impossible. In these cases the resistance came to nothing, and the measures were absolutely successful. I do not want to say anything as to the merits of this case; I do not really pretend to know about it. Colonel O'Callaghan may be a good landlord or a harsh one; but that has nothing to do with the point of view from which I am now regarding the question, for I look at it from this point—that the law has been declared, that the Government have accepted the duty of enforcing the law, and the law, somehow or other, without delay and without prolongation of the process, ought to prevail. The effect of this protracted affair, your Lordships may depend upon it, is most demoralizing to the whole people of Ireland. The effects of it must spread far and wide. With any people, I should be afraid of such dramatic scenes perpetually and continually enacted from day to day before them; but, with an emotional, sensitive, and impressionable people like the Irish, I can conceive nothing more unfortunate than what is now going on. Your Lordships know there will be other evictions, and if similar scenes are re-enacted the country will practically be in a state of civil war. I do not wish to impute blame to Her Majesty's Government; but I think the Irish Executive should have used their fullest strength, having once determined to enforce the law, to carry the process through, and should not have allowed a state of things which, if continued much longer, will become a serious scandal.

The Earl of Carnarvon

THE LORD PRIVY SEAL (Earl CADOGAN): I received my noble Friend's private Notice of this Question only two hours ago, and I have not had time to obtain any further particulars which would enable me to answer the Question positively. I am sorry, therefore, I am unable to state positively when these deplorable proceedings at Bodyke are likely to terminate. It has been all along anticipated that, owing to the obstinate resistance which was to be apprehended, these evictions would cover a period of several days. The latest information I have been able to obtain shows that there are now six evictions out of 31 remaining to be carried out, but I cannot vouch for the accuracy of that statement. Further than that I can give no information to my noble Friend as to the probable duration of these unfortunate proceedings.

COLONIAL SERVICE (PENSIONS) BILL.

(*The Earl of Onslow.*)

(NO. 98.) COMMITTEE.

Order of the Day for the House to be put in Committee read.

Moved, "That the House do now resolve itself into Committee upon the said Bill."—(*The Earl of Onslow.*)

LORD LAMINGTON said, that he had been advised that the Amendments it was his intention to propose in Committee ought not to be put because they involved money payments. It was not, therefore, his intention to trouble their Lordships with them; but he wished, before the Bill was committed, to make a few suggestions to Her Majesty's Government. It would be conceded that no class of public servants should be treated with manifest injustice. The country was not illiberal to the Diplomatic Service, to the Civil servants of the Crown, or to the Military and Naval Services; but to the Colonial Service it had been most ungenerous. It would scarcely be credited that until 1865 no provision or pension had been given to any Colonial Governor who might have passed all his life in the service of the Crown; and it was reserved to himself, a private Member of Parliament, to introduce a Bill by which pensions were granted to Governors after 18 years' service in four Colonies, and those pensions were not to be granted until the recipients were 60 years of age. That

was not much to obtain; but he had to be thankful for small mercies; and it might be said that the Colonies a quarter of a century ago occupied a very different position in people's minds from what they did now. He wished to call attention to the Rules of the Consular Service. To any officer, clerk, or person who had been employed 10 years a pension was granted not exceeding 4-12ths of his annual salary, and if 20 years 6-12ths of his salary. In the Diplomatic Service three years' service entitled to a pension. A first-class Minister after five years had a pension of £1,300, a second-class Minister one of £900, and a third-class Minister one of £700. In case any one in the Service was invalided, even after a short period of service, he received some consideration. In the Civil Service a Secretary of State after four years' service had a pension of £2,000. Only a short time since it was two years' service. What, then, could be said for the Governor of a Colony who, after serving with four Governments, only received a maximum of £1,000, and that not until he was 60 years of age? The economical answer to this might be that the Diplomatic Service was too liberally paid. Was that so? He had been a Member of every Diplomatic Committee for the last 40 years; he had seen much of diplomatists, and he did not hesitate to say that no Ambassador, no Minister, no Chargé d'Affaires, no Secretary, if he adequately filled his post, could live on his pay, and if we did not give these retiring pensions the country would be doing gross injustice to a most excellent body of men. There was no country in which the ranks of diplomacy were so admirably filled as our own. It was a gross injustice we were now doing to Colonial Governors. If a Governor adequately filled his high post he could not save on his salary. He could not tell how painful it had been for him to listen to the details of the life of penury to which gentlemen of high culture and of excellent merit, who had ably and generously represented the Sovereign in distant parts of our Colonial Empire, had been reduced on their return home. This was an appropiate time to do an act, he would not say of generosity, but of justice. A Colonial Conference had been attended with admirable results. The founding of a Colonial Institute would be the commencement of a new Colonial era. The Metropolis was full at this moment of Colonists who had come here to pay homage to their Sovereign, and there was not one of those Colonists who, even at a small sacrifice, would not wish justice to be done to Her Majesty's Representatives. Her Majesty had no more loyal subjects than the Colonists, and they were all interested in seeing the Governors placed in a suitable position. He invited the Government to withdraw the present Bill with the view of inserting certain clauses which, while doing what was just to a distinguished class of Her Majesty's servants, would cement the union between the Mother Country and the Colonies.

THE EARL OF BELMORE said, he could not join the noble Lord in asking the Government to withdraw the Bill; but he did hope the Government would give some consideration to the matters that had been urged upon them and adopt measures for providing adequate pensions for Colonial Governors. He thought he was right in saying that the Colonial Governors' Pension Act of 1865 was not nearly as liberal as it would have been if it had been framed on the lines of the English Civil Service Superannuation Act of 1859. Permanent civil servants in England got as many sixtieths of their former salaries, by way of pension, as they had served years, up to 40 sixtieths, or two thirds. A Governor, who had drawn a salary of £5,000 a-year for at least four years, and who had served for 18 years as a Governor, or for 15 years as such, and for six more in some inferior capacity, was only entitled, under the Colonial Governors' Pension Act, 1865, to £1,000 a-year. If he had drawn a lower salary the pension would be on a proportionately lower scale. At the rate of the English Superannuation Act of 1859 he calculated that a first-class Governor ought to get £1,500 a-year, which would be 18 sixtieths of £5,000. He thought, also, that with the consent of the Treasury and the Secretary of State he should be able to enjoy a lower salary at the end of, say 12 years. He hoped that the Government would take this matter into consideration.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of ONSLOW) said, he was glad that the Amendments would not be moved, be-

cause this was in part, if not in the whole, a Money Bill. He would be very sorry to do anything that might endanger the chances of such a *rara avis* as a Bill which, already at this period of the Session, had reached their Lordships from the House of Commons. They must be satisfied with a measure, which went some way in the direction desired by his noble Friends. After full consideration the Treasury were of opinion it would be undesirable to introduce any Amendment to the Bill that might affect the provisions of the Political Pensions Act, 1869.

Motion *agreed to;* House in Committee accordingly: Bill *reported* without Amendment; and to be read 3ª on *Thursday* next.

QUARRIES BILL.—(No. 83.)

(*The Lord Sudeley.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."—(*The Lord Sudeley.*)

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day three months.")—(*The Lord Stanley of Alderley.*)

LORD SUDELEY said, that he hoped the House would not agree to the Amendment moved by the noble Lord (Stanley of Alderley). The noble Lord was quite mistaken in thinking that the Bill passed through the House of Commons without the Members of that House being well aware of it. The Bill was introduced there the first night of the Session, and was constantly on the Notice Paper. The Home Office made very considerable Amendments to the Bill, and all objections were fully made. The last stage passed in a full House. The history of the Bill was simply this—the Bill in rather a larger form was introduced last Session, but was withdrawn at the request of Mr. Childers to make room for a large Quarries Regulation Bill, which was itself subsequently dropped when the Session abruptly terminated. The Bill received the strong support of the Home Office in the other House, as well as that of the Office of Woods and Forests. There had been a great many accidents arising from open quarries, and Coroners had constanty reported to the Home Office the great danger arising from it. The Bill really followed the Coal Mines Regulation Bill of 1872, which stipulated that all disused coal mines should be properly fenced in. It was a Bill of a very simple character; the object was saving human life, and he hoped the House would let them go into Committee on the Bill.

LORD BRAMWELL said, the Bill applied to quarries open and dangerous to the public and on unenclosed land, and to quarries within 50 yards of the highway, of places of public resort, or places dedicated to the use of the public, and not separated therefrom by a fence. Without criticizing the words of the Bill, he thought it was clearly applicable to two classes of cases—first, to cases where the quarry was dangerous to a person using the highway, and, secondly, to cases where persons trespassed without any right at all. He pointed out that in the first case the law had already provided a remedy. If a pit or quarry or excavation adjacent to the public highway was a source of danger to any person using the road the owner of the pit or quarry was liable to the person who sustained injury. Such a pit or quarry was a nuisance to the highway, and consequently any person who made *bonâ fide* use of the highway, or who deviated from it unintentionally and received harm, could maintain an action against the person whose quarry was thus a danger or nuisance to the public. The other case for which this Bill provided was that of trespassers. No doubt it was true that persons would trespass on open and unenclosed land; it could not be prevented, because the property was defenceless. But to say that more effectual protection should be afforded to trespassers, and that all quarries on unenclosed land must be fenced at the expense of those whose land was trespassed on was, in his opinion, an unreasonable proposition.

THE LORD CHANCELLOR (Lord HALSBURY) said, that while giving credit to the framers of the Bill for good intensions he had another objection to the Bill. He was afraid sufficient consideration had not been given to the machinery by which the intentions of the Bill were to be carried out. In order to ascertain what was to be done

if the Bill passed into law they had to refer to the Act of 1875; but when they referred to the Act of 1875 it would be found that it could not be understood without referring to the Sanitary Act of 1875; and if they pursued their investigations a little further they would find they could not understand that Act without a reference to the Sanitary Act of 1866. This continual reference became intolerable, and when such a law came to be applied it was almost impossible for Her Majesty's Judges to arrive at a proper interpretation of what was intended by this legislation. After pointing out that there was no machinery applicable to proceeding summarily in the Act of 1875, he said that if dangerous holes were to be made nuisances and were to be dealt with summarily, the Bill should not be limited to quarries and similar cases mentioned in the Bill; but be made to apply to other holes open for the purpose of quarrying. If the subject were pressed to a Division he would support the Motion of the noble Lord.

LORD SUDELEY said, he must express his astonishment at the speech just delivered by the noble and learned Lord (The Lord Chancellor). The House, he felt sure, would sympathize with him at the very peculiar position in which he (Lord Sudeley) was placed. He had taken charge of the Bill when it came up from the other House, on the distinct understanding that it had the warm support of the Government; but, to his amazement, the Lord Chancellor had taken a very different view. It would be very difficult for him, in the face of the opposition of the Lord Chancellor, to proceed; but he hoped that the noble and learned Lord would see that the objections he had raised could very easily be met by a few simple words to make the offence liable under summary jurisdiction. He hoped that the Bill might be allowed to proceed with such Amendments being introduced as might be considered necessary by the Lord Chancellor.

THE EARL OF CAMPERDOWN asked why the Bill was not to extend to Scotland and Ireland? He hoped their Lordships would not go into Committee on the Bill.

LORD SUDELEY said, that he was informed that in Scotland they had this power, and people were bound to fence their property, and therefore it was not thought necessary to include Scotland in the Bill. If he was wrong on this point, and if the law was somewhat obscure, it could no doubt be remedied by some Amendment in bringing in Scotland.

EARL BROWNLOW said, that, as the Bill stood at present, the Home Office did not see much objection to it, although undoubtedly the points raised by the noble and learned Lord on the Woolsack must be regarded as having weight and importance. The noble who moved the rejection of the Bill spoke chiefly on matters of detail which could very well be dealt with in Committee if the House agreed to the second reading. The Bill was a very small one, and, therefore, he doubted whether any great action would be taken upon it; but the object being to prevent injury to the necks, arms, and legs of Her Majesty's subjects through falling down pits there would be a certain amount of responsibility attaching to their Lordships if the Bill was rejected.

LORD HERSCHELL said, he did not understand that the Bill was intended to alter the law, but that it merely gave a more simple remedy for that which was now effected in a very clumsy manner. Under these circumstances, and as the facts brought to light showed that considerable loss of life had occurred from quarries not being properly fenced, he hoped the House would not reject the Bill. The Bill could be easily amended in Committee.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, he gathered from the tone of the discussion that the Bill did not seem likely to accomplish the objects its promoters had in view. It appeared that it would require considerable Amendments to make it a really good Bill, and probably it would meet the views of their Lordships generally and give time for the consideration of amendments if he moved that the debate be adjourned till that day three weeks.

Moved, "That the further debate on the said Amendment be adjourned to *Tuesday* the *5th of July* next."—(*The Lord President.*)

Motion *agreed to.*

IMPROVEMENT OF LAND ACT—LEGISLATION.—QUESTION.

LORD VERNON asked the Prime Minister, If the Government would introduce an Amendment of the "Improvement of Land Act," empowering life tenants to borrow money for the purpose and erection of fixed agricultural machinery? He mentioned that although in the Settled Estates Act and others life tenants were allowed to borrow money for many purposes in no Act was agricultural machinery mentioned.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, that he had received a communication with regard to this Question from the Prime Minister, who was unable to be present, in which he stated that, while he fully recognized the importance of the subject, he considered it hopeless in the present state of Public Business to attempt to promote any legislation dealing with so large a question.

RABIES IN DOGS.

The Lords following were named of the Select Committee:

L. President.	E. Kimberley.
D. Beaufort.	L. Walsingham.
E. Coventry.	L. Ribblesdale.
E. Carnarvon.	L. Poltimore.
E. Onslow.	L. Belper.
E. Zetland.	L. Mount Temple.

The Committee to meet on *Thursday* the 23*rd instant*, and to appoint their own Chairman.

House adjourned at half past Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14*th June*, 1887.

MINUTES.]—SELECT COMMITTEE—*Report*—Jubilee Thanksgiving Service (Westminster Abbey).

PRIVATE BILL (*by Order*)—*Considered as amended*—Caledonian Railway.

PUBLIC BILLS—*Second Reading*—Crofters Holdings (Scotland) * [287].

Select Committee—Public Parks and Works (Metropolis) * [136], *nominated*.

Committee—Criminal Law Amendment (Ireland) [217] [*Seventeenth Night*]—R.P.

Withdrawn—Police Force Enfranchisement (No. 2) * [81].

PROVISIONAL ORDER BILLS—*Ordered*—*First Reading*—Public Health (Scotland) (Duntocher and Dalmuir Water) * [288]; Public Health (Scotland) (Condenbeath Water) * [289].

Second Reading—Local Government (Ireland) (Killiney and Ballybrack) * [275]; Local Government (Ireland) (Ballyshannon, &c.) * [272]; Metropolis (Cable Street, Shadwell) * [277]; Metropolis (Shelton Street, St. Giles's) * [278]; Oyster and Mussel Fisheries * [279]; Pier and Harbour (No. 2) * [276].

Report—Local Government (No. 3) * [268]; Local Government (No. 4) * [269]; Local Government (Gas) * [249]; Local Government (Ireland) (Limerick Water) * [236].

Third Reading—Water * [250], and *passed*.

PRIVATE BUSINESS.

CALEDONIAN RAILWAY BILL.

(*by Order.*)

CONSIDERATION.

Bill, as amended, *considered*.

MR. BAIRD (Glasgow, Central): I beg to move the Motion which stands in my name, and, before doing so, perhaps I may be permitted to explain to the House, as clearly as I can, the reasons that prompt me to take that course. The Bill is promoted by the Caledonian Railway Company, and deals with a great number of objects, with which I do not propose to interfere, except so far as the Bill relates to the Central or Gordon Street Station of that Company at Glasgow, and the approaches thereto. So far as I am personally concerned, my object is to endeavour to defeat the proposal of the Company to widen the approaches to that station, by extending the width of the bridge that crosses Argyle Street. I may inform hon. Members, who are not acquainted with Glasgow, that Argyle Street is the principal street of that city, and that it stands in the same relation to Glasgow as the Strand does to London. The street itself is 80 feet wide, and it is at present crossed by a bridge belonging to the Caledonian Railway Company, who propose to extend the width of their bridge from 75 feet to 185 feet, so that, in effect, the street will be carried under a tunnel for a distance of 60 yards, the bridge itself being only 18 feet in height. Now I ask the House to consider what would be said if it were proposed to build a bridge over the Strand 60 yards long and only 18 feet high. No Company who proposed a scheme of that kind would be listened to for a moment.

I have no doubt it will be urged against the Amendment I intend to move that the Committee were unanimous in accepting the proposal of the Railway Company; but I may point out that the Committee only heard one side of the case. If they had heard both sides I think we should have been in a better position to judge of the matter now. It may be said that the representatives of the Corporation of Glasgow heard the evidence, and if they allowed the case to go by default, they are to blame and must take the consequences. Now, with regard to that matter, I wish to say that the Corporation of Glasgow were engaged in negotiations with the Caledonian Railway Company up to the time the Bill was brought before the House, and finding that the time was short, and that they could not get evidence which would place their objections to the scheme with sufficient force before the Committee, they came to the conclusion that it would be better to oppose the Bill in some other way. Now the Corporation of Glasgow have an alternative proposal, by which they provide that a station should be erected on the south side of Argyle Street. Many hon. Members will be acquainted with the Vauxhall Station of the London and South-Western Railway, and they will be aware that there is no carriage way to the station, and that the level of the street is reached by a staircase running into the street. If the same thing were done in connection with the proposed station in Argyle Street the passengers would go by a covered way into the street, where they would be able to find tramways running North, East, and West. It has been alleged against the Motion I propose to make, by hon. Members who represent County constituencies in Lanarkshire, which include the districts round Glasgow, that this proposal is not in their interest, or in the interest of their constituents. I am free to admit that gentlemen who travel to and from Glasgow for business purposes, find it a convenience to have the Caledonian Station, and that it gives them a certain amount of accommodation; but I would ask the House to consider whether persons of that kind are the only people who are to be considered in the matter, and whether no attention is to be paid to the great mass of people who never leave Glasgow at all, but who, on the other hand, have to make use of this main thoroughfare to the station from morning to night throughout the year? For my part, I think it is the duty of the House to pay attention to the convenience of the people who live in Glasgow. In conclusion, I should like to suggest to hon. Members who may be in some doubt as to the view they ought to take of the matter, that my proposal is supported by the Corporation of Glasgow, and by the Members who represent that City in this House. I beg to move from line 3 of the Preamble, the omission of the words which empower the Company—

"To widen and extend certain of the lines of railway leading into their station in Glasgow called the Central or Gordon Street Station, which were authorized by the Caledonian Railway (Gordon Street Glasgow Station) Act, 1873 (hereinafter called 'the Act of 1873'), and by the Caledonian Railway (Gordon Street Station Connecting Lines Act, 1875 (hereinafter called 'the Act of 1875')."

MR. SPEAKER: Does the hon. Member propose to move the first Amendment on the Paper?

MR. BAIRD: I understood that the Motion I have made would cover all the Amendments.

MR. SPEAKER: What is the particular Amendment the hon. Member proposes to move now?

MR. BAIRD: I move the first, which relates to the Preamble of the Bill.

Amendment proposed, in the Preamble, page 1, line 3, to leave out from the word "empowered" to first word "to," in line 11.—(*Mr. Baird.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. WOODALL (Hanley): I had the honour of serving as Chairman of the Committee to which the Bill was referred, and I am therefore anxious to say a few words in order to justify the conclusion to which the Committee arrived. The hon. Member (Mr. Baird) has explained that the only part of the Bill which is considered to be objectionable is that which deals with the proposal to increase the accommodation of the Central Station at Glasgow. That station was constructed at enormous cost some seven years ago, and since then the increase of traffic has been very great indeed. I think I may say that

the increase has been something like 150 per cent, even in so short a time. Members of this House will be familiar with the enormous tourist traffic in and out of this station, and with the fact that suburban districts have been rapidly growing up around Glasgow, and that they have now become very important as residences for business men of the City, and the consequence is, that very severe demands indeed have been made upon the capacity of this station. The railway already crosses this important thoroughfare in Glasgow—namely, Argyle Street—by a bridge; but the simple fact is, that that bridge is now found to interfere with the capacity of the station, and the proposal of the promoters of the Bill is, that if this bridge were widened, the capacity of the station may be very considerably increased. Of course, it is perfectly obvious that in crossing a great thoroughfare like Argyle Street at all, it must inflict a certain amount of inconvenience upon the public, and the Corporation of Glasgow alleged as much in the Petition which they presented to the House, praying to be heard by counsel before the Committee. They were heard; their case was presented to the Committee by very able counsel. The witnesses for the promoters were heard upon this particular point. It is quite true that no direct alternative scheme was proposed or supported by the Corporation; but in spite of the protests of the promoters, and, I am afraid, a little contrary to the general usage of Committees, we rather encouraged the suggestion of a possible alternative, so that we might be able to form a judgment as to whether the scheme proposed by the promoters was justified as an undoubted public requirement. Learned counsel were permitted to cross-examine the witnesses as to the possibility of accommodating the suburban traffic by constructing a station on the other side of Argyle Street, which I have reason to believe is substantially the alternative scheme the Corporation of Glasgow are now prepared to support. I may say that not one tittle of evidence was given in support of the practicability of the scheme. On the contrary, every witness who presented himself before the Committee made it conclusive that such a station would be insufficient, and would not satisfy the requirements of the travelling public of Glasgow. It was further suggested that it might be possible to relieve the traffic of the Central Station by enlarging the accommodation at the Bridge Street Station, which hon. Members will remember is on the other side of the Clyde. But this was barred by a conclusion arrived at by a Committee of this House a short time ago, and any accommodation provided on the south side of the Clyde would not meet the general requirements of the public, who use on a large scale the Central Station. Indeed, it was obvious to the Committee that, as far as the evidence went, this was practically the only way of meeting the case. It is perfectly true that the scheme involved the widening of the bridge across Argyle Street. Upon that proposal a great deal of evidence was received, all of which went to show that it is impossible to deal with the matter in any other way, or to satisfy the demands of the Corporation of Glasgow. I think the House will feel that after a measure of this kind has been most carefully considered by the Committee to which it was referred, and bearing in mind that the opponents, in exercising their *locus standi*, were fully represented by counsel; that they had witnesses in the room, whom they did not think proper to call, and that not one word was said by any inhabitant of Glasgow, by any occupier in Argyle Street, or any other person directly interested in the matter, against the plan proposed by the Railway Company; the opposition at that stage was not justified by the allegations. The opponents of the Bill would have an opportunity of raising their opposition in "another place," I think it is rather unreasonable, and certainly unbusinesslike, to endeavour to throw out so important a measure as this upon the consideration of the Report of the Committee, when hon. Members cannot have the same opportunity of considering the merits of the scheme as fairly and as fully as they were considered by the Committee.

MR. CALDWELL (Glasgow, St. Rollox): As one of the Representatives of Glasgow and knowing the district personally, as well as having been in attendance when the Committee sat upon the Bill, I would venture to make a few observations upon the matter.

This is not a Bill in which private interests are concerned; it is a case in which the public interests of Glasgow are chiefly concerned. It will be found that the Corporation of Glasgow opposed it unanimously, and that in this House the Members for Glasgow were united in opposing it, not as a Party question, but as a purely local public matter. In regard to the enlargement of the Central Station at Glasgow, it must not for a moment be supposed that the Corporation of that city object to give increased facilities to the public in regard to that station. That is not the point which is involved. The Corporation of Glasgow are anxious to increase the accommodation, but the question is simply one of plan. According to the plan promoted by the Caledonian Railway Company, they propose to enlarge the station by bridging over a considerable portion of a public street. They are covering over Argyle Street, the principal street in Glasgow, to an extent of 110 feet additional to what it is covered at present, for the purpose of extending their station. What the Corporation of Glasgow say is this—"You can enlarge your station accommodation without encroaching upon this public street at all." They say that they have had plans prepared by skilled engineers and that the highest engineering authorities tell them that they can meet the present wants of the public without any additional encroachment upon Argyle Street. The contention of the Corporation of Glasgow is that the plans of the Company not only involve the present taking of 110 feet of that important public street, but that in regard to any future extensions the Company will be compelled to encroach still further upon that street. The real point in dispute is whether the Company can get the increased accommodation they require without encroaching on the public streets. The Corporation of Glasgow did not resist the application of the Company for increased station accommodation, but only the method by which the increased accommodation is to be afforded. The proposal made by the Caledonian Company is without a parallel. In no other instance has a public street of such importance as Argyle Street in Glasgow ever been taken possession of by a Railway Company to the extent asked for, and I am afraid that it may hereafter be made a precedent. Of course, it would be to the advantage of a Railway Company to appropriate a public street, and erect station accommodation upon it, because, in that case, they would pay no compensation, and it is therefore easy to understand why a Railway Company should prefer a plan which gives them this possession of a considerable portion of a public street. A plan of that character must always commend itself to a Railway Company if Parliament would allow it. What the Corporation say is that if the Caledonian Railway Station is to be extended it should be extended in the usual way. I lay it down as a matter of public policy, that if a Railway Company, in the case of a city like Glasgow, is going to make such an encroachment on a public thoroughfare, it was the duty of the Railway Company, before the Bill was deposited and the plan submitted to Parliament, to consult the Local Authorities. In this instance the Railway Company lodged their Bill and fixed their plans without giving the Corporation an opportunity of seeing whether a better scheme might not be devised. When the plans were lodged what did the Corporation find? They found nothing but a line of railway and the limits of deviation; not the method by which it was proposed to enlarge the station. Therefore, when the Railway Company say that in February they entered into communication with the Town Council of Glasgow, what they really did was to show the Corporation the limits of deviations; but I challenge them to show that they advanced their plan for giving station accommodation until the matter came before the House of Commons. It was only then, for the first time, that the Town Council became aware of the real nature of the scheme which Parliament was asked to sanction. What was the position of the Town Council at that time? We are told that the case was heard for two days. That is perfectly true; but notwithstanding that, the Corporation consulted eminent engineers. Those eminent engineers were naturally unprepared at a moment's notice to propose a counter scheme. They said—"We must have time to prepare and develop a plan." Then it is said that the Committee were unanimous in the decision they

arrived at. Why were they unanimous? Simply because they had before them the scheme of the Railway Company, and no scheme promoted by the Corporation of Glasgow. It is very easy to say that the Committee were unanimous, and if hon. Members had been on the Committee no other course could have been taken. There was only one scheme before the Committee, promoted by one side, and no evidence given on the other side. It may be said that the Corporation of Glasgow were to blame for not giving evidence; but what I say is that they were unable at that stage to get the evidence they required. The Corporation did not feel themselves in a position to offer evidence; but even assuming that the Corporation was wrong in the course they took, surely the House of Commons was the proper place, and this was the proper time to show that the public interests were in danger. In the case of a private person, if he neglects his own interests in this House he has himself to blame; but he is always protected by the Rules of the House to the extent that *de jure* he can always obtain compensation for any injury done to him. But in the case of an injury to the public interest it is different. If a Railway Company interferes with a public street the public can get no compensation whatever, and consequently this House is the proper tribunal to apply to if it can be shown that there has been neglect, or that in any other way the public interests will ultimately suffer. I have said that the Corporation of Glasgow had no opportunity of submitting evidence when the case was before the Committee; but I may add that they have now prepared a scheme which shows that the increased station accommodation proposed by the Caledonian Railway Company can be carried out without encroaching in any way upon Argyle Street. A question has been raised as to the increased traffic, and surely that is a question upon which the Corporation of Glasgow have a right to be heard. No doubt, there is a growing suburban traffic; but does that justify the Railway Company in seeking to appropriate a public street for the accommodation of parties purposely and wilfully remaining outside the city bounds to escape city taxation? We may be told that the Corporation has the House of Lords to appeal to. That is perfectly true; but in a matter dealing with the interests of the public I submit that this House, which consists of the Representatives of the people, is the place where the views and interests of the people ought to be ventilated and protected. For these reasons I support the Amendment which has been moved by the hon. Member opposite.

MR. HOZIER (Lanarkshire, S.): I only rise for the purpose of expressing the views of the county portion of the community who have an interest in this question. I represent a very large and important Division of the County of Lanark, and I believe my constituents will thoroughly endorse every word I say. The whole case lies in a nutshell. In the first place, it is absolutely indispensable in the interests of all persons who have to enter or leave Glasgow that there should be free access, and that the station accommodation in connection with the Central Station of the Caledonian Railway should be vastly improved. In the next place, this measure will provide that improved access and improved accommodation in the Central Station; and, in the third place, although the Caledonian Company are prepared to expend a sum of more than £250,000, on these improvements, they do not propose to derive 1*d.* of profit by an increase of rates and fares. It can hardly be imagined that the Railway Company propose to incur this heavy expenditure out of pure "cussedness." It is argued that they ought not to encroach further on an important public thoroughfare; but, as a matter of fact, they have no alternative. As the Chairman of the Committee has stated, suggestions for an alternative scheme were asked for by the Committee, and some suggestions were put forward; but they were not so ridiculous that they were naturally rejected. Not only have the Company agreed to spend this large sum of money in effecting much required improvements, but a Committee appointed by this House, after a thorough investigation, have unanimously accepted their scheme. I therefore give an unhesitating support to the Bill.

MR. MASON (Lanark, Mid): As I represent one of the Divisions of Lanarkshire, I wish to make a few remarks in support of the extension of this station, on the ground that it will be beneficial

to the public interests and the public safety. The Railway Company have already been permitted to cross Argyle Street; in fact the railway has to approach the station by a bridge over that street, and there is no other way by which the station can be enlarged, except by the widening of the existing bridge over Argyle Street. It is, therefore, for the interests of the public that the bridge should be widened, so as to secure the public from the danger of accident. The hon. Member for the Central Division of Glasgow (Mr. Baird) has told the House that it is for the interests of the people of Glasgow that this bridge should not be widened; but the people of that city are quite as impressed with the inadequate capacity of the Central Station as other people, and feel the desirability of widening it, in order that the accommodation of the public may be increased. I do not think it was at all necessary to introduce so fictitious an illustration as the case of the Strand; but if the hon. Gentleman wanted a parallel, he might have referred to the Thames Embankment, and the way in which Parliament has allowed it to be crossed by railway bridges and tunnelled underneath by railway lines. Parliament did so because it was found that the existing means for carrying on the passenger traffic of the Metropolis were not commensurate with the requirements of the public; and precisely the same want is experienced in regard to the Central Station of Glasgow. Other stations have been enlarged in London on the same principle, because it was found that no other means could be provided for accommodating the congested traffic. In this case it is absolutely necessary that this bridge should be widened, in order to secure the safety of the public. I have, therefore, great pleasure in supporting the finding of the Select Committee, and I think it would be unreasonable and unbusiness-like to reverse the decision at which they have arrived.

MR. PROVAND (Glasgow, Blackfriars, &c.): The hon. Member for the Central Division of Glasgow (Mr. Baird) compared Argyle Street with the Strand in London, but, as a matter of fact, the Strand represents only partly the importance of the position which Argyle Street occupies in Glasgow. There are two principal streets in London running east and west—the Strand and Oxford Street, but Glasgow has only one—Argyle Street—and it would, therefore, be fairer to say Argyle street is to Glasgow what a combination of the Strand and Oxford Street would be to London. The point at issue is whether the Corporation should not be allowed a fair opportunity of presenting their case, and of calling evidence with regard to the technical part of the Bill. As a matter of fact, the Corporation had no knowledge of the details of the scheme of the Caledonian Company until the Bill went into Committee on the 28th of April. On the 4th of February they obtained some information in regard to it; but they were not made acquainted with the full details until April. It was, therefore, impossible for them to prepare and lay before the Committee the evidence which ought to be taken, and their only course was to oppose the Bill so far as it dealt with enlarging the station in Gordon Street. All that we want is that this part of the Bill shall be held over until next year, so that the Corporation of Glasgow may have an adequate opportunity of considering the matter. To that part of the scheme which relates to the enlargement of the station there were negotiations going on after the 28th of April when the Bill went into Committee — even as late as the 17th of May — between the Corporation and the Caledonian Company. The Corporation have no desire to limit the amount of accommodation which the Railway Company desire to provide; but the Company insist upon taking a portion of a public thoroughfare which the Corporation think it necessary to preserve in the public interest. For these reasons, I shall support the Amendment moved by the hon. Member for the Central Division of Glasgow.

MR. J. C. BOLTON (Stirling): As Chairman of the Caledonian Railway Company, I desire to say a few words. Every hon. Member who has spoken has admitted the necessity of providing increased accommodation for the rapidly growing traffic; but not one of them has suggested an alternative to the scheme of the Bill. Complaint has been made that the Railway Company promoted this Bill without first taking into consultation the members of the Corporation of Glasgow. Now, in the month of November in last year, the Company, in

the usual course, gave notice of this Bill, and in that notice they stated that they required to increase the width of the bridge by 200 feet. That notice, in fact, gave the Corporation all the information that the Corporation could possibly require. It was simply and solely a widening of the bridge that was proposed, and it is simply and solely to the widening of the bridge that the members of the Corporation of Glagow now object. On the 4th of February, they were put in possession of all the information respecting the plans of the Company, of which the Company were themselves in possession; and from the 4th of February until the 18th of April, when the Bill went into Committee, they had ample time to enable them to draw up an alternative scheme. They tell us that they did consult some of the most eminent engineers in the country; and they had also their own servants, who were fully competent to advise them. They might have called these engineers and servants before the Committee, but they thought it was better not to place these gentlemen in the witness-box. And why? Because the only alternative scheme these gentlemen could suggest for the relief of a congested station was to build another station where no passenger wanted to go. How could a scheme like that possibly relieve a congested station? The Corporation of Glasgow knew very well that it could not, and, therefore, they refrained from putting these gentlemen into the witness-box. This scheme involved the erection of a station 25 feet above the level of the street, with no means of access for cabs or carts, except by constructing a long tunnel, which would involve the demolition of a large amount of property. Such a scheme, which could only be carried out at all by making the access to the station a zigzag incline of 1 in 15, was so absurd and unbusiness-like a proposal, that the Corporation dare not put witnesses into the box to suggest it. The Central Station was originally designed for the accommodation of a very large amount of traffic, but the Railway Company under-estimated the amount of traffic that would use it. Before it had been in use for more than a year it was found that there were 3,000,000 of people making use of it, in addition to contracts with an enormous number of ticket-holders. Five years afterwards the traffic had risen to close upon 5,000,000, and whenever a holiday occurs it is most inconveniently crowded. The Caledonian Company are most anxious to remain on good terms with the Corporation of Glasgow, and to work with them, as far as possible, in the interests of the community; but they are unable to see any means by which the inhabitants of the locality can obtain relief except by the plan which they have themselves proposed.

Question put, and *agreed to.*

An Amendment made.

Bill to be read the third time.

MANCHESTER SHIP CANAL BILL.

INSTRUCTION TO THE COMMITTEE.

THE CHAIRMAN OF COMMITTEES (Mr. COURTNEY) (Cornwall, Bodmin): I beg to move—

"That it be an Instruction to the Committee on the Manchester Ship Canal Bill, that the Opponents to the Bill (namely, the Mersey Docks and Harbour Board, the Corporation of Liverpool, and the London and North Western Railway Company) be heard only on the question of the effect upon the said Opponents of the alteration of the financial conditions imposed by 'The Manchester Ship Canal Act, 1885,' so far as the said Opponents were protected by the said conditions; and that the said Committee do hear any Shareholders dissenting from the Bill on their Petition against the same."

MR. SINCLAIR (Falkirk, &c.): I have no wish to oppose this Motion; but I do desire to have the terms of the Resolution distinctly expressed in the Motion moved by the Chairman of Ways and Means, so that it may be clearly understood that the powers which are conferred upon the Committee under the Motion are the same as those which we understood to be expressed by the hon. Gentleman in his speech of yesterday. The point to which I wish especially to draw attention is this—that, speaking on behalf of the Mersey Docks and Harbour Board, we know that when the Bill was passed it was granted in consequence of the evidence originally laid before the Committee—namely, that the measure was promoted in the interests of Lancashire; that the capital subscribed towards the scheme would be Lancashire capital; and that the measure was promoted solely because there is a desire on the part of Lancashire to have this Canal

made. It would now seem that those conditions have been altogether changed, and that the people of Lancashire, having been asked to find the money for the scheme, have signally failed to do so. The original conditions, therefore, do not exist, and the scheme is now converted into one which is to be promoted by financiers—London financiers, because Lancashire has distinctly said—"No doubt we want this Canal; but we want it made by utilizing other people's money. We decline ourselves to find the £7,000,000 or £8,000,000 which it will cost." I have no desire to detain the House further; but I wish to give this short explanation of the part I have felt it my duty to take in the matter.

MR. COURTNEY: The words of the Instruction appear to me to carry out materially the understanding which was arrived at yesterday. My object in making the suggestion I did was to secure the brevity of the debate; but I have no idea that I said anything that was calculated to lead to the conclusion that any interest would not be protected which ought to be protected, so far as the duty would be imposed on the Committee of examining into the financial conditions of the question, and of paying full regard to all the interests concerned.

MR. SINCLAIR: I take that as an affirmative of the remarks I have made, and, that being so, I shall not feel it necessary to raise any objection to the course which the hon. Gentleman proposes to take.

MR. HOULDSWORTH (Manchester, N.W.): I do not rise for the purpose of objecting to the terms of Reference. As far as we are concerned, we understand it to be a Reference which will not practically defeat the object we desire to attain, and we are content to accept the terms in which it is proposed. I only rise now for the purpose of saying a word in the shape of a personal explanation in regard to an incident which occurred yesterday. I think it only fair to the agent for the promoters of the Bill that I should make this explanation. I find, on investigation, that he did not, as I said I believed yesterday he would not, give his consent to the Motion of the hon. Gentleman the Chairman of Ways and Means without authority. He admits that he did not receive any authority from me; but I find that he did receive authority from the Deputy Chairman of the Company to consent to the proposal in the interests of the promoters of the Bill. Having made that explanation, I will only add that I have no objection to urge against the proposal of the hon. Member.

Question put, and *agreed to.*

Ordered, That it be an Instruction to the Committee on the Manchester Ship Canal Bill, that the Opponents to the Bill (namely, the Mersey Docks and Harbour Board, the Corporation of Liverpool, and the London and North Western Railway Company) be heard only on the question of the effect upon the said Opponents of the alteration of the financial conditions imposed by "The Manchester Ship Canal Act, 1885," so far as the said Opponents were protected by the said conditions; and that the said Committee do hear any Shareholders dissenting from the Bill on their Petition against the same.—(*The Chairman of Ways and Means.*)

SIR HENRY JAMES (Bury, Lancashire): I have now to move—

"That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Friday 24th June."

My only desire in moving this Instruction is to secure that the whole of the proceedings in reference to this Manchester Ship Canal Bill should not be rendered utterly useless, and that the matter should not have to be gone into again. Although I have had no opportunity of consulting my constituents upon the matter, I believe that it is perfectly immaterial to know from what source the money is to come—whether from the people of Lancashire or from London. We have no sympathy either with the Mersey Board or with any Railway Company who are opposing the Bill; but our only desire is to see that the money shall be expended and the scheme carried out for the interests of those who are concerned in the commercial prosperity of Lancashire. I beg, therefore, to move this additional Instruction.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Friday 24th June."—(*Sir Henry James.*)

MR. COURTNEY: I confess that I am not in favour of the imposition of any unnecessary restriction upon the labours of the Committee, although I admit that there may be circumstances which may require such an interposition

on the part of the House. At the same time, I think the circumstances ought to arise before we enter upon such a course as that suggested in the Motion of my right hon. and learned Friend. I think that, at any rate, the Committee should be afforded an opportunity of discharging its duties in a business-like fashion before we impose this condition upon them. If we should find that there is any disposition to waste time, or to delay the Bill in such a manner that the efflux of time may be likely to defeat it, then by all means impose this condition; but until such a disposition is manifested I think it would be improper to impose this condition upon the Committee. For my own part, I do not think we shall incur the danger which the right hon. and learned Gentleman has pointed out; but if it should arise, it will, undoubtedly, be the duty of the House to interfere by laying down some further Instruction to the Committee.

LORD CLAUD HAMILTON (Liverpool, West Derby): There is another reason why this proposal should not be accepted. I am told unofficially that it is not likely the Committee will be struck and be able to sit until the 23rd of June, and it is manifest that if they are required to report the Bill on the 24th they cannot have much time for consideration. Otherwise they would be unable to discharge their duties properly. All that is required is that we should appoint a strong Committee, and then leave them to perform their duties, which I have no doubt they will be able to do to the satisfaction of the House.

MR. T. M. HEALY (Longford, N.): I should like to ask the Chairman of Ways and Means if there are any means of applying the closure to Private Business?

SIR JOHN R. MOWBRAY (Oxford University): I would venture to make an appeal to my right hon. and learned Friend opposite not to persist with this Instruction in its present form. I think there is a good deal of force in the observation which has been made by my noble Friend the Member for Liverpool (Lord Claud Hamilton) as to the early date suggested for the Report by my right hon. and learned Friend—["No!"]—I speak in perfect sympathy with the object the right hon. and learned Gentleman has in view, because I know the risk which will be incurred to the scheme itself if too much time is wasted in the proceedings before the Committee. I think that the inquiry which the House has ordered should be abbreviated as much as possible; but, at the same time, the period of two days which my right hon. and learned Friend desires to allow seems rather short. If there should be any unnecessary delay the right hon. and learned Gentleman might give Notice that, at the proper time, he would move that the Committee be directed to report the Bill. I quite agree with him that we must have an opportunity, at all risks, of getting on with the Business of the House.

SIR HENRY JAMES: I hope the House will allow me to persist with this Motion, for this reason—seeing that the whole of the capital has to be raised by the 6th of August, some limit of time is absolutely necessary. I will, however, accept the suggestion of my right hon. Friend the Chairman of the Committee of Selection (Sir John R. Mowbray) and alter the date in the Motion, with the permission of the House, from Friday, the 24th, until Monday, the 27th of June.

MR. SPEAKER: In that case, does the right hon. and learned Gentleman propose to withdraw the original Motion?

SIR HENRY JAMES: Yes.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Monday, 27th June."—(*Sir Henry James.*)

MR. JACOB BRIGHT (Manchester, S.W.): I am quite sure that my right hon. and learned Friend the Member for Bury has looked carefully into the time necessary for passing the Bill, and I believe there is a feeling in the House almost unanimously in favour of the Motion. ["No!"] Certainly it has remarkable support on both sides of the House; and, that being the feeling which prevails among hon. Members, I think there will be a general disposition to accept the Motion of my right hon. and learned Friend. We have to get the whole of the matter settled before the 6th of August, having to make a call of one-fifth of the capital, which

must be paid in on or before the 5th of August. The House will, therefore, see how extremely perilous it may be to have any unnecessary delay.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I rise, with some regret, to oppose any Motion made by the right hon. and learned Gentleman opposite; but it appears to me that it would be a very serious thing for the House to agree to this Resolution, in opposition to the advice of the Chairman of Ways and Means, which is invariably followed in reference to proposals as to the course of conducting the Private Business of the House. I also think it would be undesirable to act in opposition to the view expressed by the right hon. Baronet the Chairman of the Committee of Selection (Sir John R. Mowbray). I think the course suggested by the Chairman of Ways and Means is the wisest; and if it should appear, after this Bill has been in Committee for two or three days, that there is any prospect of unreasonable delay, or that the proper consideration of the measure was likely to be endangered, it will then be only right to move that an Instruction be given to the Committee to report a Bill on a given day. But to do that now would be, I think, to cast a reflection upon the discretion and authority of the Committee itself, and is not a course which I can recommend the House to adopt.

MR. J. M. MACLEAN (Oldham): I rise with regret for the purpose of expressing my entire dissent from the remarks of the right hon. Gentleman the First Lord of the Treasury. I think it of great importance that a date should now be fixed on which the Committee should report the Bill. The Chairman of Ways and Means has suggested, and the First Lord of the Treasury has endorsed the suggestion, that the Committee might be appointed without any limitation as to time, and that then, if it needlessly prolonged the inquiry, the House might interpose and call for a speedy Report. But the Chairman of Ways and Means overlooks the obvious consideration that, meanwhile, a great deal of very valuable time would have been wasted. Moreover, it would be a very difficult matter for the House to interpose after the Committee had began to sit, and to say it was not conducting its business properly. That would be equivalent to a Vote of Censure on the Committee, and could not be passed without long debate. The promoters of the Bill think it reasonable to ask that the Committee shall report in a few days' time, as the issue to be referred is a very simple one. An hon. Member who spoke early in the debate (Mr. Sinclair) talked about various questions going to be re-opened; but we say that there is only one question which affects in any way the opponents of this great, noble, and beneficent scheme. It has already been decided by Parliament that the scheme is of a *bonâ fide* character, and that the promoters shall have power to raise the money necessary to enable it to be carried out; but that, as a guarantee for the protection of the interests adverse to the undertaking, a portion of the capital must be actually raised by the 5th of August. Surely it does not signify to the opponents of the Bill where the money comes from, whether the people of Lancashire find it themselves, or borrow it from great capitalists in London. All that concerns them is that the sum named shall be forthcoming. In any other country in the world a scheme of this sort would be supported by the State with a guarantee.

MR. SPEAKER: I must point out to the hon. Member that he is not confining himself to the Question before the House, which is that the Committee be instructed to report the Bill to the House by a particular day.

MR. J. M. MACLEAN: Then I will only say, in conclusion, that the issue referred to the Committee is a very simple one—namely, whether the money is likely to be forthcoming or not; and it is desirable that that fact should be reported to the House at the earliest moment.

MR. LEES (Oldham): I wish to point out that the essence of the whole question is the time at which the Bill is to be reported. If the promoters are not allowed reasonable time, it will be impossible for them to go on with their scheme; and the powers which have been already conferred on them by Parliament will lapse. Representing, as I do, the interests of a considerable number of persons in Lancashire, I am most anxious that nothing should be done by this House to imperil the scheme.

SIR JOHN R. MOWBRAY: I think it is a serious question that so much time should be spent on these Private Bills; and I must say that I have a very strong feeling in regard to this particular Bill, because I cannot forget that a long and protracted inquiry did take place on the Manchester Canal Bill three years ago, and that the investigation by a Select Committee cost the country the life of a very valuable public servant—the late Mr. Forster. I think it is right we should say to the Members of the Committee that they are only to sit for a short time. There is some difference between Friday and Monday; and I am sure that if we give an Instruction to the Committee to proceed with all possible despatch in dealing with the financial conditions of the scheme it will enable the Committee of Selection to secure a strong Committee. I think it is most undesirable to waste the time of the House in discussing Private Bill legislation; and if an arrangement is come to at once, we shall be enabled to devote a greater length of time to the discussion of the more important measure which is to follow.

MR. MUNDELLA (Sheffield, Brightside): I wish to say a few words in support of the Motion of my right hon. and learned Friend the Member for Bury (Sir Henry James) in the interests of my own constituents, because I believe that it is a matter which concerns the public interests, and that it is a grave public scandal that an important enterprise of this kind should have been subjected to such persistent opposition, and that its promoters should have been put to such enormous expense. I believe that the whole scheme will be jeopardized, and that the whole work will have to be done over again, unless some Instruction of this kind is given to the Committee. I, therefore, trust that the House will consent to give the Instruction in order that an enterprise which is not only of local, but of national importance, may be proceeded with.

MR. SINCLAIR: I wish to say that the opponents of the scheme have no desire unduly to protract the labours of the Committee, and they have neither intention or desire to obstruct the action of the promoters. I sincerely hope that the proposal of the Chairman of Ways and Means will be adopted, and that the Committee will not be limited to any special time.

Question put.

The House *divided*:—Ayes 243; Noes 82: Majority 161.

AYES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Addison., J. E. W.
Allison, R. A.
Anderson, C. H.
Anstruther, H. T.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Balfour, rt. hon. A. J.
Balfour, Sir G.
Barnes, A.
Barry, J.
Bartley, G. C. T.
Bethell, Commander G. R.
Biggar, J. G.
Blane, A.
Blundell, Col. H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Bradlaugh, C.
Bridgeman, Col. hon. F. C.
Bright, Jacob
Bright, W. L.
Bristowe, T. L.
Broadhurst, H.
Bruce, Lord H.
Bruce, hon. R. P.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Caldwell, J.
Cameron, C.
Cameron, J. M.
Campbell, H.
Carew, J. L.
Channing, F. A.
Chaplin, right hon. H.
Clancy, J. J.
Coddington, W.
Connolly, L.
Conway, M.
Conybeare, C. A. V.
Cooke, C. W. R.
Corbet, W. J.
Cossham, H.
Cozens-Hardy, H. H.
Cranborne, Viscount
Craven, J.
Crilly, D.
Davenport, H. T.
Deasy, J.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
Dillon, J.
Dimsdale, Baron R.
Dixon, G.
Douglas, A. Akers-
Duncan, Colonel F.
Duncombe, A.
Ebrington, Viscount
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.
Ewing, Sir A. O.
Eyre, Colonel H.
Farquharson, Dr. R.
Feilden, Lt.-Gen. R. J.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finch, G. H.
Finlay, R. B.
Finucane, J.
Flower, C.
Flynn, J. C.
Foljambe, C. G. S.
Forster, Sir C.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Fry, L.
Gardner, H.
Gaskell, C. G. Milnes-
Gent-Davis, R.
Gill, H. J.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Graham, R. C.
Gray, C. W.
Greenall, Sir G.
Grey, Sir E.
Grove, Sir T. F.
Hamilton, Col. C. E.
Hanbury, R. W.
Hardcastle, E.
Hardcastle, F.
Harrington, E.
Hartington, Marq. of
Havelock-Allan, Sir H. M.
Hayden, L. P.
Healy, M.
Healy, T. M.
Heaton, J. H.
Heneage, right hon. E.
Hermon-Hodge, R. T.
Holmes, right hon. H.
Hooper, J.
Howard, J.
Howell, G.
Howorth, H. H.
Hoyle, I.
Hulse, E. H.
Hunt, F. S.
Hunter, W. A.
James, hon. W. H.
Jennings, L. J.
Johnston, W.
Joicey, J.

Kelly, J. R.
Kennedy, E. J.
Kenny, M. J.
Kenyon, hon. G. T.
Kenyon - Slaney, Col. W.
King, H. S.
King - Harman, right hon. Colonel E. R.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Labouchere, H.
Lafone, A.
Lalor, R.
Lawson, Sir W.
Leake, R.
Lees, E.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Llewellyn, E. H.
Lubbock, Sir J.
Lyell, L.
Lymington, Viscount
Mackintosh, C. F.
Maclean, J. M.
Maclure, J. W.
Mac Neill, J. G. S.
M'Arthur, W. A.
M'Cartan, M.
M'Carthy, J.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Lagan, P.
Mahony, P.
Maitland, W. F.
Mappin, Sir F. T.
Marjoribanks, rt. hon. E.
Marum, E. M.
Mason, S.
Montagu, S.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Morley, A.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mundella, rt. hn. A. J.
Muntz, P. A.
Noble, W.
Nolan, J.
Northcote, hon. H. S.
Norton, R.
O'Brien, J. F. X.
O'Brien, P.
O'Brien, P. J.
O'Connor, A.
O'Connor, J. (Kerry)
O'Doherty, J. E.
O'Kelly, J.
Palmer, Sir C. M.
Paulton, J. M.
Pease, A. E.
Pelly, Sir L.
Pickersgill, E. H.
Pinkerton, J.
Plowden, Sir W. C.
Potter, T. B.
Powell, F. S.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, Captain G. E.
Price, T. P.
Provand, A. D.
Puleston, J. H.
Pyne, J. D.
Redmond, J. E.
Reed, Sir E. J.
Reid, R. T.
Robertson, E.
Robertson, J. P. B.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Rowlands, W. B.
Salt, T.
Schwann, C. E.
Selwin-Ibbetson, right hon. Sir H. J.
Selwyn, Capt. C. W.
Seton-Karr, H.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Simon, Sir J.
Smith, A.
Spencer, hon. C. R.
Stack, J.
Stevenson, F. S.
Stevenson, J. C.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Thomas, A.
Tuite, J.
Verdin, R.
Vernon, hon. G. R.
Wallace, R.
Warmington, C. M.
Watt, H.
Wayman, T.
Wiggin, H.
Will, J. S.
Williams, A. J.
Williams, J. Powell-
Wilson, Sir S.
Wolmer, Viscount
Woodall, W.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.

TELLERS.

Houldsworth, W. H.
James, rt. hon. Sir H.

NOES.

Ainslie, W. G.
Atkinson, H. J.
Baden-Powell, G. S.
Barttelot, Sir W. B.
Bates, Sir E.
Beach, W. W. B.
Beckett, W.
Birkbeck, Sir E.
Bolton, J. C.
Brodrick, hon. W. St. J. F.
Brown, A. H.
Caine, W. S.
Campbell, Sir A.
Campbell, Sir G.
Churchill, rt. hn. Lord R. H. S.
Clarke, Sir E. G.
Coghill, D. H.
Commins, A.
Corry, Sir J. P.
Courtney, L. H.
Dawnay, Colonel hon. L. P.
De Worms, Baron H.
Dillwyn, L. L.
Dorington, Sir J. E.
Edwards-Moss, T. C.
Elcho, Lord
Elliot, G. W.
Elton, C. I.
Ewart, W.
Fellowes, W. H.
Forwood, A. B.
Gibson, J. G.
Goschen, rt. hon. G. J.
Greene, E.
Hall, C.
Halsey, T. F.
Herbert, hon. S.
Hill, right hon. Lord A. W.
Hill, A. S.
Hoare, S.
Holland, rt. hon. Sir H. T.
Hozier, J. H. C.
Isaacson, F. W.
Jackson, W. L.
Kennaway, Sir J. H.
Laurie, Colonel R. P.
Lawrence, W. F.
Lewisham, right hon. Viscount
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Macdonald, rt. hon. J. H. A.
Manners, rt. hn. Lord J. J. R.
Milvain, T.
Newark, Viscount
O'Connor, T. P.
Parker, hon. F.
Picton, J. A.
Plunket, rt. hn. D. R.
Rankin, J.
Rathbone, W.
Rendel, S.
Ritchie, rt. hon. C. T.
Royden, T. B.
Russell, E. R.
Sclater - Booth, right hon. G.
Smith, rt. hon. W. H.
Smith, S.
Stanhope, rt. hon. E.
Stewart, M. J.
Temple, Sir R.
Tollemache, H. J.
Tomlinson, W. E. M.
Trotter, H. J.
Walrond, Col. W. H.
Walsh, hon. A. H. J.
Webster, Sir R. E.
Weymouth, Viscount
Whitley, E.
Williamson, S.
Wood, N.
Young, C. E. B.

TELLERS.

Hamilton, Lord C. J.
Sinclair, W. P.

Ordered, That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Monday 27th June.

PUBLIC PETITIONS COMMITTEE.

Leave given to the Select Committee on Public Petitions to make a Special Report:

Special Report, together with Minutes of Evidence, *brought up*, and Special Report read as followeth:—

Public Petitions Committee, Special Report:—The Select Committee appointed to inquire into the circumstances under which, and the parties by whom the names appearing on certain petitions were thereunto appended, have considered the matters to them referred, and have agreed to the following Report:—

1. Your Committee have examined various petitions referred to them by the House for and against the London Coal and Wine Duties Continuance Bill.

2. With regard to the petitions against the Bill, they find that, whilst irregularities have

en proved in the manner in which signatures were obtained, the signatures are, in the main, genuine, and free from suspicion of fraud.

3. With regard to the petitions for the Bill, there is evidence of extensive fraud, and it has been proved that 29 of them, specially selected for examination, were wholly or in great part forgeries.

4. The petitions for the Bill were initiated by the City Solicitor, who instructed Mr. Robert Thomas Wragg, who in turn engaged the services of Mr. Carlton Roberts. Mr. John Walter Hallett, and a number of other sub-agents, were employed by Mr. Carlton Roberts. The sub-agents engaged canvassers to procure signatures, one of whom was Mr. Reginald Bidmead, employed by Mr. Hallett. The canvassers for signatures were remunerated on a scale of from 3*s.* to 6*s.* per hundred signatures.

5. Your Committee think it necessary to put on record their sense of the great negligence shown by those who were in different degrees responsible for the petitions which have been the subject of this inquiry. They are of opinion that, although no charge of participation in fraud has been brought home to Mr. Carlton Roberts, still his neglect to exercise proper supervision over the work of his sub-agents led directly to the irregularities that followed. As regards Mr. Hallett, who employed Mr. Reginald Bidmead, your Committee are of opinion that his conduct is open to grave reflection, and that his evidence is contradictory.

6. The case against Mr, Reginald Bidmead is complete. He is clearly proved, on his own confession, to have forged 1,600 or 1,700 names, and to have affixed to the Haggerstone petition 200 names taken haphazard from a London Directory.

7. Your Committee are of opinion that it is impossible for the House, with due respect to its rights, to pass over this case without serious notice. They consider that it comes within the precedent of 1865, when certain persons were committed to Newgate for having got up petitions in favour of Azeem Jah, an Indian Prince, and they recommend that this case should be dealt with as a breach of the privileges of this House.

8. Your Committee desire to record their opinion that the right of petitioning the House of Commons has, of late years, been subjected to serious abuse, and merits the attention of the House.

The points to which the Committee would specially call attention are,—

(a.) The placing of petitions on tables in the open air at which the signatures of passers-by are obtained, which are not capable of identification;

(b.) The piecing together of sheets of signatures without reference to the quarter from which they are obtained, and the headings ultimately affixed to them;

(c.) The practice of presenting petitions without any kind of voucher for their genuineness.

Sir CHARLES FORSTER (Walsall) said that, as this was a question of Privilege, he presumed the House would deal with it in accordance with the precedent referred to in the Report. He would put down the Report for consideration on Monday next.

Special Report to be taken into Consideration upon *Monday* next, and to be *printed*. [No. 175.]

QUESTIONS.

—o—

ARMS LICENCES (IRELAND) — THE CORK DEFENCE UNION.

Mr. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the arms licences, granted in favour of *employés* of the Cork Defence Union, were intended to be confined to the use of the individuals in whose names they were issued; and, if so, whether the Police Authorities can state if this arrangement has been in all cases adhered to by the Defence Union?

The PARLIAMENTARY UNDER SECRETARY (Colonel King-Harman) (Kent, Isle of Thanet): Arms licences are confined to the use of the individuals to whom they are granted. There has been no infringement of the law to the knowledge of the police by the persons alluded to in the Question.

Mr. HOOPER: Will the right hon. and gallant Gentleman say whether the police have made periodical inquiries as to the confirming of these licences to the individuals on whose behalf they were originally granted?

Colonel KING-HARMAN: The police say they have no knowledge of any infringement of the law; and I believe they have done their duty in looking after it.

LOCAL GOVERNMENT BOARD—CENSUS OF THE WORKING CLASS POPULATION IN LONDON—FOREIGN PAUPER IMMIGRANTS.

Viscount WOLMER (Hants, Petersfield) asked the President of the Local Government Board, Whether, in the Returns of the Census recently taken of the working class population of five typical London parishes, the number of foreign pauper immigrants now residing in those parishes can be shown in a separate column; and, whether it will be possible to show in the Returns the number of British and Irish workmen

and workwomen out of employment, who belong to those trades which are alleged to have been most seriously affected by the immigration of foreigners?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's) said, it was proposed in the Return to show separately the information with regard to foreign pauper immigrants born within the United Kingdom and those born abroad; and the Report provided for information to be given of the number of persons out of employment relieved out of the rates. The Return would relate to males only.

MERCHANT SHIPPING ACT—REGULATIONS FOR THE PREVENTION OF COLLISIONS AT SEA—COLLISION OF THE "CELTIC" AND "BRITANNIC."

MR. CHANNING (Northampton, E.) asked the Secretary to the Board of Trade, Whether the Board of Trade, in view of the circumstances of the recent collision between the *Celtic* and the *Britannic*, and of the findings of the Court of Inquiry held by the British Consul at New York, will consider the advisability of further amending the Regulations for the Prevention of Collisions at Sea, and especially of modifying Article 19, by which the use of distinctive blasts on the steam whistle, to indicate the course of the vessel, is left optional, and of making more definite and more stringent the Regulations as to the speed of steam ships in a fog, generally, and when the steam whistles of other steam ships are heard?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Report of the inquiry into the collision between the *Celtic* and the *Britannic* has not yet been received; and I am not in a position to say what amendments, if any, should be made in the Regulations for preventing collisions at sea.

COAL MINES, &c. REGULATION BILL—THE 19TH SECTION.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Secretary of State for the Home Department, If he will cause inquiry to be made whether the provisions of the 19th section of the Coal Mines, &c. Regulation Bill are necessary for all or any of the mines in Ireland, or could be enforced, having regard to the thinness of the seams, without unduly burdening the undertakings; whether it is a fact that there is little or no fire-damp or other mineral gas in the Irish mines; and, whether the second shaft would involve much greater expense for pumping?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The provisions of the 19th and the two previous clauses of the Bill correspond substantially with the provisions of the Mines Act of 1872, which are in force in Ireland at the present time. I am not aware of any complaint having been received as to their impracticability. I will, however, take the opinion of the Inspector on the subject.

METROPOLITAN POLICE FORCE—CHARGES OF DRUNKENNESS—SERGEANT MURPHY.

CAPTAIN PRICE (Devonport) asked the Secretary of State for the Home Department, Whether in the Metropolitan Police Force it is the custom to obtain medical and other evidence in cases of charges of drunkenness; whether this course was followed in the case of Sergeant Murphy at Devonport; whether he was allowed to call witnesses in his defence; whether he was charged with the offence at the time, or not until the following day; whether any such charge had ever been made against him previously; and, whether, considering the admitted doubtfulness of the cause of his admission to hospital, he may be given the benefit of this doubt and be reinstated in his former rank?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No, Sir; it is not the practice to call medical evidence in order to discover whether a police constable is drunk. No medical evidence was called in the case of Sergeant Murphy. He was given every opportunity of calling witnesses in his behalf. He was charged with the offence on the same day that it occurred. Previous charges of drunkenness had been brought against him on more than one occasion. I must decline to interfere with the discretion of the Chief Commissioner in the case.

THE COLONIAL CONFERENCE—REPORT OF THE PROCEEDINGS.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the Secretary of State

for the Colonies, When the Report of the Proceedings of the recent Colonial Conference will be published?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Every effort is being made to get out these Papers, which are somewhat voluminous, as early as possible, and I hope very shortly to lay them on the Table; but I cannot name a day.

MINES—RETURN OF PERSONS EMPLOYED.

MR. PRESTON BRUCE (Fifeshire, W.) asked the Secretary of State for the Home Department, Whether the Return of Persons employed in Mining, laid upon the Table on 23rd May, will be in the hands of Members before the end of this week, seeing that the Coal Mines, &c. Regulation Bill is down for Committee on Monday, the 20th instant?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the printers that this Return will be in the hands of Members to-morrow morning.

MINES—REPORTS OF INSPECTORS FOR 1886.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for the Home Department, When the Reports of the Inspectors of Mines for 1886 will be presented?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Reports may be expected to be issued in the course of next week.

ADMIRALTY CONTRACTS—CONTRACT FOR NEATSFOOT OIL.

MR. HANBURY (Preston) asked the First Lord of the Admiralty, Whether the Director of Navy Contracts recently received from Messieurs Brown and Deighton, of Preston, a tender, together with a sample of neatsfoot oil, which he declined as being "without fat;" whether, on Messieurs Brown and Deighton stating that it was "entirely of fat," and threatening inquiry, the Director of Contracts admitted they were correct, but justified his action on the ground that the specification given in the Admiralty tender form was "not as lucid as is to be desired," and would be amended "next year;" why such defective specifications are not altered at once; who is responsible for a specification which is admittedly misleading; whether such defective specifications have been found to discourage open competition among traders generally; and, whether any contract has actually been placed under the admittedly imperfect specification?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD) (Lancashire, Ormskirk) (who replied) said: The quotations given in the hon. Member's Question do not accurately convey the facts. Tenders were invited for neatsfoot oil upon a form of specification that has been used for several years without objection being raised to it. Seventeen tenders with samples were received. The samples were examined by the Admiralty chemist, without his having any clue to the name of the manufacturer; 10 were pronounced fit and suitable for the Service, and the lowest offer of these accepted. Messrs. Brown and Deighton were among those who tendered; but their offer was the highest in price, and their sample was reported as unsuitable, being limpid oil without fat. Attention will be given to the wording of the specification, to see if any alteration is desirable before next year's contracts are made. The Director of Contracts prepares the specifications; but the Admiralty are always glad to receive communications from manufacturers intended to make these as clear as possible, and as much in accordance with trade usage as the requirements of the Service will admit.

WAR OFFICE (ORDNANCE DEPARTMENT)—CONTRACT FOR CARTRIDGES.

MR. HANBURY (Preston) asked the Surveyor General of the Ordnance, Whether the contract with Messrs. Latimer Clark, Muirhead, and Co. having been reduced, in consequence of delay, from 500,000 to 200,000 cartridges, this latter number has now been delivered, or what proportion of it; and, if so, when and how long after the date named in the contract; and, whether the whole of the cartridges delivered by this firm have been manufactured by them; and, if not, from whom were they obtained?

THE SURVEYOR GENERAL (Mr. NORTHCOTE) (Exeter): The contractors finished the order; but when the first two deliveries were inspected it was found that, though the main supply was

of good quality, some defective cartridges had been mixed with it. Since then a further delivery has been made, which is again defective in minor points; and I propose to cancel the whole order, relieving the contractors of the cartridge cases, which are their own manufacture, and are reported to be well made. I practically answered the second part of the Question on the 8th of March last; but I may now say that, with the knowledge of the War Department, the cartridges and bullets were made at Millwall by Latimer Clark themselves, and the percussion caps at Birmingham. The cartridges were filled with Government powder, for the most part by Messrs. Dyer and Robson.

WAR OFFICE—ARMY CONTRACTS FOR SWORD BAYONETS.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether Messrs. Wilkinson, who have received an order for 150,000 sword bayonets, are themselves manufacturers of such arms; whether, before placing the contract, inquiry was made as to whether they had any sufficient plant for such purpose; when the contract is to be completed; on what principle exception will in future be made to the rule that firms accepting contracts shall themselves manufacture the articles for which they tender; and, which are the two favoured firms mentioned by the Surveyor General of the Ordnance?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Messrs. Wilkinson are sword cutlers, and will themselves manufacture the sword bayonets. Inquiry was made as to their plant, and it was found that the plant would all have to be erected. Deliveries are to commence on January 1, 1888, and to continue at the rate of 1,000 a week; so that nearly three years will be required to complete the contract, although provision is made that, if thought necessary, the supply may be expedited after the first year. The rule that only a manufacturer is to be accepted as a contractor does not necessarily imply that every process connected with the article contracted for shall be executed in the factory of the contractor himself; for in many trades the successive processes take place in different localities and under different firms, as a necessary, or at least economical, division of labour. The intention is that the contractor shall not be a middleman, merchant, or agent; and this rule will be as strictly enforced as circumstances will allow. The two firms of agents who, in consideration of their long connection with the Department, are still allowed to contract are Messrs. Moore and Manby and Messrs. Broughton and Co.

MR. MUNDELLA (Sheffield, Brightside): Will these sword bayonets be entirely of English manufacture?

MR. E. STANHOPE: Yes; certainly.

WAR OFFICE—EXHAUSTION OF STORES AT MALTA IN 1882.

COLONEL BLUNDELL (Lancashire, S.W., Ince) asked the Secretary of State for War, as it has been frequently stated that there was no reserve of gunpowder at Malta after the Bombardment of Alexandria, in July 1882, If he will explain what the deficiency, if any, really was?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I have pleasure in saying that these statements are quite inaccurate, though they have been so persistently repeated that I am not surprised at their having been made use of in recent speeches. The full reserves of all descriptions of powder were actually in store at Malta immediately prior to the Bombardment of Alexandria in July, 1882. Supplies have been sent forward to the Fleet before the bombardment, and an ample store remained at Malta equal to all possible emergencies.

LORD RANDOLPH CHURCHILL (Paddington, S.): Might I ask the right hon. Gentleman whether he is aware that the Junior Naval Lord of the Admiralty (Lord Charles Beresford) is reported to have said, in a speech delivered before the Constitutional Union, that the supply of powder on board the Fleet before Alexandria was so short that it would have been awkward if the French Fleet had returned with hostile intent? Whether, also, there was any reserve at Malta of the 11-inch shells, or any supply of the 11-inch shells exceeding 100?

MR. E. STANHOPE: I know that the statement referred to by the noble Lord was made by my noble and gallant Friend, and that it has also been made by other persons recently. I am, in consequence, exceedingly glad to have

an opportunity of stating what the facts were with regard to the reserve at Malta. I am not surprised that the Junior Naval Lord should have made this statement, because it has frequently been made in the newspapers, and there have been no opportunities recently of contradicting it. I have not in my possession at this moment any information with regard to the 11-inch shells; but I am satisfied —perfectly satisfied—that there was a sufficient supply of amunition for every description of gun on board the ships at Alexandria.

LORD RANDOLPH CHURCHILL: Will the right hon. Gentleman make inquiry upon that point, and state at a future date whether his present reply is substantiated by the facts of the case?

MR. E. STANHOPE: Certainly, Sir.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY)—THE PROCESSION — SEATS IN PARLIAMENT SQUARE.

MR. PULESTON (Devonport) asked the First Commissioner of Works, Whether, in carrying out the arrangements for seats in Parliament Square for the families and friends of Members, he can make provision for the representatives of the Press in the House; and, whether the seats now being put up can conveniently be numbered for the protection of those for whom tickets are obtainable?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): I have promised to provide two tickets to each Member of the House of Commons for this platform; and I am sorry to say that it will not be in my power to provide tickets for gentlemen of the Press who sit in this House. In answer to the second part of the Question, I have to say that I have considered the subject very carefully, and that I think it would produce great inconvenience if the seats were numbered.

MR. T. M. HEALY (Longford, N.) asked whether Indian and Colonial visitors were to be charged in the same way as Members?

MR. PLUNKET explained that the Colonial agents were putting up the platforms reserved for these visitors at their own expense, and at their own suggestion.

MR. BOWEN ROWLANDS (Cardiganshire) asked, whether any provision had been made for the officials of the House to take their wives and sisters? At present it seemed as if they were the only persons connected with the House who were excluded.

MR. PLUNKET said, a considerable number of the officials of the House would have places provided for them in the Abbey. If there should be any space to spare on the platform in Parliament Square, after the Members of the House of Commons had been provided for, the officials of the House should certainly have the first claim.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): Are we to understand that ladies will have to scramble for places on the principle of "first come first served?"

MR. PLUNKET said, that he was quite confident that the ladies would not scramble for places. That protest he felt bound to make on their behalf. The arrangement was that the first persons to arrive should go to the front of the platform, which would be filled up gradually. If the seats were numbered and reserved confusion might ensue. The first people to arrive might be holders of seats in the middle of the platform, and they would have to be displaced repeatedly in order to enable others to get to the front.

In reply to Mr. OSBORNE MORGAN (Denbighshire, E.),

MR. PLUNKET said, that he would take care to prevent the issue of tickets for more seats than were available.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, whether old soldiers and sailors, who were in the Services 50 years ago, were to be afforded facilities for viewing the procession?

MR. PLUNKET said, he had no authority in the matter; but he hoped a place would be found for the Chelsea and Greenwich pensioners at the top of Constitution Hill, as well as for some of the Naval School boys.

MR. O. V. MORGAN (Battersea) asked, whether it was true that tickets for the Thanksgiving Service had been allotted to the whole of the clerical staff of the House of Lords, while only 35 tickets had been allotted to the clerical staff of the Lower House; and, if it was true, he wished to know who was responsible for the arrangement?

MR. PLUNKET said, he believed that 35 tickets had been distributed among the officials of the House of Commons. He did not know what provision had been made for the officials of the House of Lords. The authority who was responsible for the arrangements was the Lord Chamberlain.

MR. O. V. MORGAN: Will the right hon. Gentleman use his best endeavours to put the clerical staff of the House of Commons in as favourable a position as that of the House of Lords?

[No reply.]

CENTRAL ASIA—AFGHANISTAN—CONDITION OF AFFAIRS.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Under Secretary of State for India, Whether the Government have official information confirming the statement in yesterday's *Times* of its Calcutta Correspondent respecting the condition of affairs in Afghanistan:—

"The accounts received from all quarters agree that the Ameer's popularity and prestige are hopelessly shattered, and that unless we interfere on his behalf he must soon fall?"

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): In the absence of the Under Secretary of State for India, he desires me to state that the information received at the India Office up to date in no way confirms the statement made by *The Times* Correspondent.

THE PARKS (METROPOLIS)—REGENT'S PARK—BATHING FACILITIES.

MR. LABOUCHERE (Northampton) asked the First Commissioner of Works, Whether it would be possible to afford to the public the same facilities for bathing in Regent's Park as are granted to them in Hyde Park?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University), in reply, said, that bathing could not be permitted in the Park, because the Ornamental Water was too close to the houses.

BOARD OF TRADE—CAPTAIN CHRISTIAN, PRINCIPAL OFFICER AT QUEENSTOWN.

MR. HOOPER (Cork, S.E.) asked the Secretary to the Board of Trade, Whether Captain Christian, the principal officer of the Board of Trade at Queenstown, is about to be superannuated; if so, what will his pension be, and what proportion will it bear to the salary he has hitherto enjoyed, and if any exception has been made in his case respecting the pension scale of the Civil Service; and, if so, what are the grounds for the exception in his case; whether a successor is to be appointed; and, if so, what are the duties of the principal officer in Queenstown; and, if no successor is to be appointed, will Captain Christian have any official connection with, or duties to perform towards, the Department in Queenstown?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): Captain Christian, the principal officer of the Board of Trade at Queenstown, is about to be superannuated. His pension will be £191 13*s.* 4*d.* per annum, having a proportion of 23-60ths of his salary of £500. The ordinary pension scale of the Civil Service does not apply, inasmuch as Captain Christian was appointed under special conditions on account of his professional qualifications. No successor will be appointed to Captain Christian as principal officer; but a fully qualified nautical surveyor will be stationed at Queenstown. When Captain Christian is superannuated he will no longer have any official connection with, or duties to perform towards, the Department in Queenstown.

CONTAGIOUS DISEASES (ANIMALS) ACTS—LICENCES FOR IMPORTATION OF IRISH CATTLE.

MR. O'DOHERTY (Donegal, N.) asked the Chancellor of the Duchy of Lancaster, Whether the Privy Council recently had occasion to remonstrate with the Inspectors of Local Authorities in Great Britain against illegal charges made for licences, certificates, &c., for Irish cattle landed at British ports; whether it is a fact that at Greenock this practice still continues; whether he can give the number of cattle landed at Greenock since the restrictions on the importation of cattle this year into Scotland, and the amount of fees alleged to be illegally exacted from Irish importers of cattle; whether any steps are being taken to prevent the continuance of the alleged illegal exactions at Greenock and elsewhere; and, whether the expense and trouble and annoyance of landing Glasgow cattle out of direct

Glasgow steamers, and railing them to Glasgow, is to be allowed to continue?

THE CHANCELLOR OF THE DUCHY (Lord JOHN MANNERS) (Leicestershire, E.): The attention of the Privy Council has been called to the charges made for certificates of inspection of animals landed at certain ports in Great Britain; and in each case the Local Authority who have made the Regulation imposing on owners the cost of such certificates have been informed that, in the opinion of the Privy Council, such charges were contrary to the principle of Section 56 of the Contagious Diseases (Animals) Act, 1878. No information has been received as to the continuance of the system at Greenock, and the statistics asked for cannot be given from official sources. In regard to the Regulations which provide that animals intended for inland transit are to be landed at Greenock instead of at Glasgow, it appears that such Regulations are within the powers given to Local Authorities by Article 20 of the Animals Order of 1886, which enables them to regulate the movement of animals into their district from the district of any other Local Authority in Great Britain.

CONTAGIOUS DISEASES (ANIMALS)—CARRIAGE OF CATTLE ON RAILWAYS.

MR. O'DOHERTY (Donegal, N.) asked the Chancellor of the Duchy of Lancaster, Whether his attention has been called to the cruelties and unnecessary hardships borne by cattle on railways; whether a prosecution for cruelty to animals has ever been tried as a remedy; and, whether there are any Regulations on the subject?

THE CHANCELLOR OF THE DUCHY (Lord JOHN MANNERS) (Leicestershire, E.): Yes. There have been no complaints made lately of cruelty, or unnecessary hardships, to animals during transit by railway. Prosecutions have been instituted, and penalties obtained, for infringement of the Regulations which are in force under the Contagious Diseases (Animals) Act, 1878, providing for water supply of animals at railway stations, also for proper footholds in trucks and other vehicles, for the prevention of overcrowding, and for the protection of newly-shorn sheep from the weather.

WAR OFFICE—MESS FUND OF THE ROYAL ACADEMY, WOOLWICH.

COLONEL HAMILTON (Southwark, Rotherhithe) asked the Secretary of State for War, Whether he is aware that the mess fund of the Royal Academy, Woolwich, is made up from contributions by the cadets, and is their private property; and, such being the case, will the Government relieve them of the cost of performing a military and patriotic duty at their own expense when they attend the Jubilee Review at Aldershot?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The only application at present made to the War Office is that the cadets should be allowed to pay this expenditure out of the mess fund. I should be glad if it were possible to meet it in some other way; but it appears doubtful whether it would form a legal charge upon Army Votes. I will look further into the matter before the Review.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — THE BOROUGH OR "CITY" OF BELFAST.

MR. JOHNSTON (Belfast, S.) asked the First Lord of the Treasury, If, in recognition of the position and progress of Belfast, and in consideration of this being the Jubilee year of Her Majesty's reign, he will be pleased to recommend to the Crown to grant a Charter, or issue Letters Patent, conferring on the borough of Belfast the style and title of "City?"

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It is not the intention of Her Majesty's Government to recommend to the Crown the grant of Charters conferring on any town in the United Kingdom the title of "city" in honour of Her Majesty's Jubilee. With regard to Belfast, no intimation has been received that the public authorities desire that such a title should be conferred upon that town; but if any Memorial on the subject should reach Her Majesty's Government it will receive such consideration as it deserves.

SCOTLAND—THE CROFTERS' COMMISSION—REDUCTION OF RENTS.

DR. R. MACDONALD (Ross and Cromarty) (for Dr. CLARK) (Caithness)

asked the First Lord of the Treasury, Whether, during the month of May, decisions in 430 cases have been given by the Crofters Commission, by which the rents of the 430 crofters have been reduced from £3,047 to £1,937, and of the £7,594 of arrears of rent due by these crofters about £5,000 has been cancelled; whether the Commission has decided the case of the Braes crofters, the district where the disturbance took place regarding the right to graze on Benlee, which caused the first expedition to Skye, and reduced the rent of these crofters from £276 to £153, and cancelled £719 of the £752 of arrears of rent due by them; whether an interlocutor has been issued by the Commission, giving Benlee to these crofters, and so deciding in their favour the matter in dispute which caused the disturbance; and, whether the Government will lay upon the Table of the House a quarterly Return of the decisions made by the Crofters Commission? The hon. Gentleman further asked, if the Government would give in the Returns the acreage of each of the crofts?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not able to give an answer to the last Question. The figures in the first part of the hon. Member's Question are not quite accurate; 627 fair rents were fixed by the Crofters Commission during the month of May, the number of crofters interested being about 700. The total amount of present rents dealt with was £4,285 0*s.* 7*d.*, and this was reduced to the sum of £2,911 5*s.* The total amount of arrears adjudicated upon was £10,358 13*s.* 10*d.*, of which the Commissioner cancelled £6,200 11*s.* 5*d.*, and ordered the balance of £4,158 2*s.* 5*d.* to be paid. The facts as stated in the second and third paragraphs of the Question, though substantially correct, might lead to misapprehension. The right of grazing cattle on Benlee has not been given by the Commission to the Braes crofters, who have, as a matter of fact, been in enjoyment of this right since 1882, when it was granted to them by Lord Macdonald, on the understanding that they should pay rent for it. This rent, and the arrears of it which have accumulated, have been dealt with by the Commission in conjunction with the rent and arrears due from the Braes crofters in respect of their holdings, with the result that rents have been reduced from £276 6*s.* 9*d.* to £153 3*s.*, and arrears from £752 13*s.* 5*d.* to £33 12*s.* 6*d.* As to the fourth part of the hon. Member's Question, the Government do not deem it desirable that quarterly Returns of the decisions of the Commission should be laid on the Table of the House, as it would frequently necessitate the publication of a Report dealing with a portion of a district of which the remainder was still *sub judice;* this would be apt to embarrass the Commission in the performance of their duties. Moreover, their decisions, when given, are at once published in the newspapers, and an annual Report of their proceedings will, in accordance with the Statute, be laid before Parliament.

Subsequently,

MR. CHILDERS (Edinburgh, S.) asked, whether the Government would not give, with respect to the Crofters Commission, the same periodical Return which was given in respect to the working of the Irish Land Commission?

MR. W. H. SMITH understood that certain Returns were laid down by the Act of Parliament, and were presented under the Act. He would inquire whether, if they did not interfere with the course of business, they could be made more frequent? He had appealed to the Commissioners themselves; and they had replied that it would interfere with their conduct of the business, and give a false representation on the course they were taking, if they were obliged to report on questions which were not completely settled.

MR. CHILDERS pointed out that his question was whether the Crofters Commissioners could furnish similar Returns to those furnished by the Irish Land Commissioners?

MR. W. H. SMITH said he would inquire.

MR. ANDERSON (Elgin and Nairn) asked whether, after the large reduction of rent which the Crofters Commissioners had made in the County of Inverness, the Government would not think it right to extend the Act to the neighbouring counties of Moray and Nairn?

MR. W. H. SMITH said, it was not the Government who had to do with the

question. It was the House itself which last year deliberately refused to extend the privilege of the Act to these counties; and, therefore, he had only to say, on behalf of the Government, that they adhered to the Act as it stood.

MR. ANDERSON: After the decisions of the Crofters Commission, which were not known to the House when this Act was passed, I hope the Government will consider the question of extending the Act to the counties I have named.

[No reply.]

GOVERNMENT CONTRACTS—SYSTEM OF "OPEN TENDERS."

MR. WATT (Glasgow, Camlachie) asked the First Lord of the Treasury, If the Government will consider the advisability of making "open tenders" for goods required by the various Departments, or, in other words, dispense with the present system of confining tenders to privileged lists, which, it is alleged, deters independent merchants and manufacturers from making application?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, that successive Governments had decided that experience did not recommend the adoption of the system of open tenders. More satisfactory results were obtained by the Public Departments, both in regard to prices, quality, and the number of offerers by tenders being invited from selected firms. In arranging such lists, every facility was afforded to manufacturers of proved standing who desired to compete to be placed on the list. The hon. Member would be aware that one of the most important considerations in regard to material supplied for the public use was that the quality itself should be extra good, and for that the reputation of the manufacturer was of the highest importance.

NAVY—DOCKYARDS AND ARSENALS—VISITS BY MEMBERS OF THIS HOUSE.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney) asked the First Lord of the Treasury, Whether, in view of the valuable information Members obtained regarding the Navy, on their visit to Portsmouth on Saturday last, the Government can conveniently recommend that arrangements should be made for Members to visit the dockyards and arsenals at least twice during every Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Any Member desirous of visiting Her Majesty's Dockyards can do so at any time by presenting his card at the Dockyard gates. If, however, there was a general wish on the part of any large section of the House that facilities should be given for Members to visit in company these Government establishments, the Admiralty would be glad to make arrangements for that purpose.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY).

MR. HERBERT GARDNER (Essex, Saffron Walden) asked the First Commissioner of Works, At what hour Members of the House who had received tickets of admission to the Jubilee Service at Westminster Abbey would be required to be in their places, and until what hour carriages would be allowed to pass along the route?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The Committee appointed by this House to consider this matter have made their Report, and I understand that my right hon. Friend the Leader of the House will lay it upon the Table this evening. As regards this particular part of the route, I understand that the Commissioners of Police have undertaken to keep the streets clear for the passage of carriages up to 10 o'clock; but after that hour they cannot undertake to keep them clear. It is hoped that hon. Members will be in this House by 10 o'clock, and will then proceed by the covered way to the Abbey.

MR. HERBERT GARDNER: How long will the covered way remain open?

SIR ROBERT FOWLER (London): Can the right hon. Gentleman say where it is intended to place the carriages of Members while they are in the Abbey?

MR. PLUNKET: The latter Question is one that has occasioned the police considerable difficulty, and they will meet that difficulty in the best way they can. No doubt, they will be able to find some place in the immediate neighbourhood where hon. Members' carriages can wait during the service. With regard to the Question of the hon. Gentleman opposite, I understand that hon. Members and their wives will be able to pass through

the covered way any time before 10 o'clock. I believe that the Speaker and the other officers of the House will be in their places in the Abbey by 11 o'clock.

CRIME AND OUTRAGE (IRELAND)—ALLEGED RIOT AT FEAKLE.

MR. M. J. KENNY (Tyrone, Mid): I wish to ask the Parliamentary Under Secretary a Question, of which I have given him private Notice—namely, If the attention of the Irish Government has been called to the savage conduct of the police at Feakle, County Clare, on Sunday last; if it is a fact that these men broke into a public house in the village, in the absence of the proprietor, and helped themselves *ad libitum* to intoxicating liquors; if the police were subsequently ordered by the District Inspector, named Seddall, to disperse some people who were in the village street, and thereupon they charged the crowd, using batons and clubbed rifles with great brutality; if a boy 12 years of age, named William Purcell, received a desperate scalp wound which threatens to prove fatal; and if Denis Curtin, in attempting to rescue Purcell, was savagely assaulted; if other men, named Daly, Hussey, O'Shea, and O'Halloran were assaulted and severely beaten, and the house of a man named O'Riordan broken into by the police, the owner assaulted, and a rifle presented at his wife; if the Government can give the nature of the alleged provocation for such brutality; and if, for the purpose of obtaining reliable reports of proceedings at evictions, and at the suppressing of public meetings, the Government could provide some other source of information than policemen or their officers?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, he had only received Notice of the Question at 5 o'clock that evening, and had been unable to communicate with those at the seat of the Bodyke evictions for information. But the Government had no information of a disturbance or riot on Sunday. The only telegram which touched in any way on a disturbance between the police and the inhabitants was one which stated that yesterday a detachment of police, when marching home, were stoned by the mob, that five of the men were badly hurt, and that the mob were dispersed with batons. This made one officer and 15 men of the Irish Constabulary who had been injured very seriously.

MR. M. J. KENNY: Will the right hon. and gallant Gentleman make some further inquiries if I put the Question down on Thursday.

COLONEL KING-HARMAN: Certainly.

EVICTIONS (IRELAND)—THE BODYKE EVICTIONS, CO. CLARE.

MR. DILLON (Mayo, E.): I wish to ask a Question of the Parliamentary Under Secretary for Ireland. A number of replies have been given by the Under Secretary to Questions asked in this House in reference to the deplorable proceedings going on at Bodyke, and we are in a position to prove that every one of these replies is absolutely and entirely false. I wish to ask him whether, if we undertake to prove that all the statements made in reply to our Questions with reference to the conduct of the police and the emergency men in Bodyke are entirely false, the Chief Secretary—or the Under Secretary, for the Chief Secretary does not seem to take any interest in Irish affairs at all—will inform us of the sources of his information; and whether, if he has no other information, except that which proceeds from the party inculpated by our Questions, he will obtain some independent testimony of the conduct of the police, which we state to be brutal and atrocious?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.) (who replied) said, he understood the hon. Member desired that the Government should lay before the House all the official information and telegrams that passed between the Irish Office in London and the authorities in Ireland. That had never been done before by any Government, and the present Government could not start the practice.

MR. DILLON said, if the right hon. Gentleman occupied his seat in the House, and not a position behind the Speaker's Chair, he would better understand the Question. The point he wanted to put was this—He would undertake to prove that the statements made in the House in relation to the proceedings in Bodyke were absolutely false. Now, that was a very serious condition of things—that the answers to Questions put to Ministers were entirely and abso-

lutely false. He made no attack on the truthfulness of Ministers; but he alleged the information was placed in their hands by interested persons; and if he proved the facts were false, would the Government inform the House whether the information they had received was obtained from parties inculpated by the Questions; and, if so, whether they would take steps to get independent testimony of the conduct of the Constabulary?

MR. A. J. BALFOUR asked how the hon. Member proposed to prove that the answers were not true? Did he propose to prove it by asking for a day to discuss the whole question of Bodyke? If so, that was a Question relating to the arrangement of Business, which ought to be addressed to the First Lord of the Treasury.

MR. DILLON said, he was very glad that the right hon. Gentleman had thrown down that challenge.

MR. A. J. BALFOUR: I only asked a Question.

MR. DILLON said, he proposed, if he got the chance, to prove by the independent testimony of Englishmen who were present, and who stated that they were ready to swear that the answers given in this House, with reference to things they saw with their own eyes, were absolutely and totally false. He called on the Chief Secretary to say when he would give a day.

MR. A. J. BALFOUR thought the best thing for the hon. Member would be to furnish him with the proof of the falseness of the statements referred to, and then he would be in a position to consider what course he would pursue.

MR. DILLON said, he did not intend to prolong this debate; but he was not satisfied with the right hon. Gentleman's reply, and he would try whether some means could not be found to bring the matter under the notice of the House.

BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS.

In reply to Mr. SYDNEY BUXTON (Tower Hamlets, Poplar),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, it was intended to proceed on Monday with Supply (Civil Service Estimates) as the first Order, and after that to take the Coal Mines, &c. Regulation Bill. It had been understood for some time that the Speaker would be moved out of the Chair on that Bill as nearly as possible at 10 o'clock at night.

MR. DILLON (Mayo, E.) said, that last evening the First Lord of the Treasury promised to make a statement this evening of the Business to be taken next week for the convenience of Members who did not wish to be in London during the Jubilee celebrations. He also wished to ask the right hon. Gentleman whether he would inform them what was the reason that, to the great astonishment of the Irish Members, the Irish Land Law Bill was set down for Report stage in the House of Lords on the 1st July; and also how, in view of the action of the other House, he proposed to fulfil his pledge to have the second reading of the Bill taken in the House of Commons before the Criminal Law Amendment (Ireland) Bill had left the House?

MR. W. H. SMITH said, he was in the recollection of the House; but he thought the hon. Gentleman had slightly misrepresented the engagement he made. What he undertook was, that the Irish Land Law Bill should be down in this House before they had parted with the Criminal Law Amendment (Ireland) Bill; and that engagement he should certainly endeavour to observe. He was not responsible for the arrangements which were made in "another place." He regretted that the Bill had been postponed so long as the 1st July; but he had not the least doubt that it would be in this House before they had been able entirely to dispose of the Criminal Law Amendment (Ireland) Bill. With reference to next week, looking at the present state of Business, they would not be justified in postponing the Report of the Criminal Law Amendment (Ireland) Bill beyond Wednesday in that week. It was, therefore, the intention of the Government to take the Report on that day.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): When will the Bill be reprinted? It is absolutely necessary to know for the purpose of putting down Amendments.

MR. W. H. SMITH: It will be reprinted, I think, on Monday.

MR. W. E. GLADSTONE: I understand, if the Bill is reprinted on Monday,

the Report will come on on Wednesday?

MR. W. H. SMITH: I will undertake that it will be reprinted by Monday.

MR. DILLON: All I ask the Government to do is to adopt the suggestion of *The Standard* this morning, and adjourn the Report stage of the Bill to Monday. I want to know why they cannot allow the week in which the Jubilee celebration is to take place to go over without spending some days on the Irish Coercion Act? All I can say is that if they cannot see their way to accept the proposition we propose we will move that Jubilee Day be devoted to the Irish Crimes Act.

MR. W. H. SMITH said, he very much regretted that he had not been able to meet the views of the hon. Member. He was entirely in the hands of the House. Having asked the House to adopt practically urgency for the passing of this measure, it did not seem to him desirable that he should further postpone it. If the House desired to postpone it, that was a matter he could not contend with; but it was his duty to bring forward the measure for consideration as rapidly as circumstances would permit, and he thought the country would expect them to proceed.

MR. DILLON: Why not go on with the Bill on Jubilee Day?

MR. SPEAKER: Order, order!

MR. T. M. HEALY (Longford, N.) asked, if the Lords considered that three weeks ought to intervene between the final Committee stage of the Irish Land Law Bill and the consideration of the Report, why should not the same rule prevail with regard to the Irish Crimes Bill? Surely they were entitled to more than one day, and that the Jubilee Day of Her Most Gracious Majesty. No Government had ever attempted anything like this before; and, what was more, they would not gain anything by it. ["Order!"] What the Irish Members desired was that they should have a clear week in order to prepare Amendments for the Report stage. As for Wednesday, he made the Government a present of it.

MR. W. H. SMITH said, he had only one suggestion to make with regard to Public Business. If it would be consistent with the views of hon. Members that the Government should proceed with Supply on Wednesday, without being subject to Motions on going into Committee, he would substitute Supply on Wednesday and Thursday for the Criminal Law Amendment (Ireland) Bill. But, again, he must be in the hands of the House. He could not propose a measure of that kind unless it was agreeable to hon. Gentlemen generally. But the condition of Public Business rendered it imperative upon him to ask the House to proceed with Business from day to day.

SIR WALTER B. BARTTELOT (Sussex, N.W.) suggested that if no Business was taken on Wednesday it would be very acceptable to the House, and hon. Gentlemen from Ireland would then have an opportunity of considering any Amendments they wished to put down; and if the Government would take Supply on Thursday that might furnish a solution of the difficulty.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY).

Report from Select Committee *brought up*, and read, as followeth:—

The Select Committee appointed to consider what means should be adopted for the attendance of this House at the Thanksgiving Service in Westminster Abbey on the 21st day of June have considered the matter to them referred, and have agreed to the following Report:—

That each Member be admitted to the Abbey by Ticket.

That the Lord Chamberlain has arranged to find places for Members, accompanied by their wives, who have sent in their names to the Speaker's Secretary on or before Saturday 11th June.

That a space in the North Transept, accommodating 540, is set apart for Members. Provision will be made for the Speaker, Chairman of Ways and Means, Ministers, Ex-Ministers, and Privy Councillors, to sit in the front seats. The remainder of the seats will be numbered, reserved, and allotted by ballot.

That Levée dress is expected to be worn by Ministers, Ex-Ministers, and Privy Councillors. For other Members Levée dress will be optional.

That Officers of the House should attend at the North Door of the Abbey to prevent unauthorised persons entering the seats reserved for the use of Members.

That Carriages should arrive at the Entrance to Westminster Hall not later than Ten a.m.

That Members, accompanied by their Wives, will proceed through St. Stephen's Porch by a covered way to the North Door of the Abbey, and, after the Ceremony, will return to the House for their carriages.

That Members of the House shall sit together, and that their Wives be separately provided for by numbered and reserved seats. Front seats will be reserved in the Lady's Gallery for Mrs. Peel, Mrs. Courtney, and the Wives of Ministers, Ex-Ministers, and Privy Councillors.

That the Clerks and Officers of the House, not exceeding 35 in number, shall be permitted to accompany the Members, and have tickets issued to them accordingly.

Report to lie upon the Table.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): Mr. Speaker, I have to inform the House that Her Majesty has been graciously pleased to signify Her desire that the House should be represented by Mr. Speaker at the Thanksgiving to be held in Westminster Abbey on Tuesday the 21st day of this instant June, in celebration of the Fiftieth year of Her Majesty's Reign. This intimation of Her Majesty's pleasure, I need scarcely say, is another proof of the gracious consideration Her Majesty always shows for the convenience of her faithful Commons. The effect of this Message is that the House is dispensed from going to the Abbey in its corporate capacity, and the Members can go to Westminster in the manner most convenient to themselves. I therefore move—

"That this House, in accordance with Her Majesty's Gracious intimation, doth authorise Mr. Speaker, as representing this House, to attend the Thanksgiving to be held in Westminster Abbey on Tuesday the 21st day of this instant June, and that the Members of the House be admitted to the Abbey by Tickets."

Motion made, and Question proposed,

"That this House, in accordance with Her Majesty's Gracious intimation, doth authorise Mr. Speaker, as representing this House, to attend the Thanksgiving to be held in Westminster Abbey on Tuesday the 21st day of this instant June, and that the Members of the House be admitted to the Abbey by Tickets." —(*Mr. Secretary Matthews.*)

MR. T. M. HEALY (Longford, N.): May I be permitted, Mr. Speaker, to submit that if this Motion is carried it will displace the Criminal Law Amendment (Ireland) Bill, contrary to the order of the House that the Criminal Law Amendment (Ireland) Bill shall have precedence over all other Business of the House. The Rule, which was passed some time ago, says that the Coercion Bill must be the first Business. It was my duty to invite your attention to this Rule on a previous occasion, and you then stated, Sir, that the question which had been put down was not Government Business. Now, if this Motion is taken now it will displace the Motion giving the Government precedence for the Crimes Bill on Tuesday next, Tuesday being a private Member's day; the words of the Rule are that the Crimes Bill is to be the first Business on every day for which Government Business is put down. But if the Government are, in defiance of their own Rule, to put down other Business, it will become a dangerous precedent, seeing that it will become the first Business of the House, within the meaning of the Rule, by which the Government obtained precedence for the Criminal Law Amendment (Ireland) Bill. I have no objection, personally, to the Motion; and I strictly guard myself against saying anything on the subject. All I call attention to is the subsequent effect of this proceeding upon the Business of the House. I would ask you respectfully, Sir, to read the Rule giving precedence to the Crimes Bill; and I would then put it that it precludes the Government from taking anything but the Crimes Bill as the first Order.

MR. SPEAKER: There is no force in the point raised by the hon. and learned Gentleman. The Resolution giving precedence to the Criminal Law Amendment (Ireland) Bill was that that Bill should have precedence over all Orders of the Day and Notices of Motion, including the Rules of Procedure. The Motion now before the House is an exceptional Motion, made for the general convenience of the House, and so stands in a category by itself, and has no bearing on the Business of the House.

MR. T. M. HEALY: If it be not the Business of the House, what is it?

MR. SPEAKER: The hon. and learned Member will note the distinction between the Business of the House and the general convenience of the House on an exceptional occasion.

Question put, and *agreed to.*

Resolved, That this House, in accordance with Her Majesty's Gracious intimation, doth authorize Mr. Speaker, as representing this House, to attend the Thanksgiving to be held in Westminster Abbey on Tuesday the 21st day of this instant June, and that the Members of the House be admitted to the Abbey by Tickets.

ORDERS OF THE DAY.

—o—

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 217.]

(*Mr. A. J. Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 13th June.*]

[SEVENTEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

DANGEROUS ASSOCIATIONS.—ARMS.

Clause 6 (Special Proclamation putting into force the enactments of this Act relating to dangerous associations).

MR. CLANCY (Dublin Co., N.): I propose to move in line 2, as an Amendment, in page 5, after "satisfied," to insert the words "by a Report of a Judge of the High Court," the object being to provide that no Proclamation shall be issued by the Lord Lieutenant except upon the Report of a Judge of the High Court. I have a strong impression that the intention of this clause is simply to put down the National League, and not only that but to put down any and every association having a similar object. If the Committee have looked at the clause, as it stands, they will see that the power proposed to be conferred on the Lord Lieutenant is of a most sweeping character. Another object of the clause is to put down the Press in any district where the Lord Lieutenant may consider it desirable, and to suppress any combination whatever, whether known by a distinctive name or not. Now the combination dealt with under the clause may be the most innocent combination in the world; there may not, according to my reading of the clause, have been any criminality at all; but if the Government choose to think that a combination exists in any district the Lord Lieutenant, at his own discretion, will have authority to suppress any meeting in support of such combination and to suppress the combination itself. Anyone who takes part in any such association or combination, anyone who publishes the objects of the association, any man who contributes money to, or receives money for, or solicits money for the association may be brought up for an offence under this clause, and before two Resident Magistrates who will simply be creatures of Dublin Castle, and he may be sent to prison with six months' hard labour. Now, I venture to say that the Czar of Russia does not, at this moment, possess a greater power than that. What I desire to submit is that the power of prohibiting any combination which cannot be shown to be of a criminal character is a power which ought not to be entrusted to any human being, let alone the Lord Lieutenant of Ireland acting under the advice of the Executive of Dublin Castle. It is a power of a most sweeping and arbitrary character, and I venture to think that no Englishman, at any rate, will contest the assertion that no such power ought to be given to any human being. It is a power which, if attempted to be exercised in England, would not be endured for a single day. Rather than submit to it the English people would rise in insurrection against the Government who attempted to enforce it. Remembering how Englishmen have fought in bygone times for the liberties they now enjoy, I shall be greatly surprised if they are not ready now to declare that it is a provision which they would not, under any circumstances, impose on their own country. If such a power is to be entrusted to the Government it certainly ought not to be entrusted to a person who will be incapable of exercising an independent and unbiassed judgment. If it be entrusted to the Lord Lieutenant of Ireland it will be entrusted to a political partizan, and a partizan of the grossest kind—to a man who is himself connected in the most ostentatious manner with the landlord class, a man who has been in conflict with his own tenantry, a man who before he became Lord Lieutenant of Ireland occupied the position of an Orange Representative, and who at the present moment is one of the chief officers of that society. This seems to me to be one of the most serious parts of the proposal. The Lord Lieutenant is a man who has the power of carrying out these clauses, and there can be very little doubt that he will exercise that power without the slightest regard to mercy. That is not the worst feature of the matter. I do not propose to revive the discussion which we had yesterday as to the constitution of the Privy Council, but I will remind the Committee that the Privy Council con-

sists of certain Members drawn from three classes—namely, ex-Secretaries to the Lord Lieutenant—Gentlemen who never attend the meetings of the Privy Council, the Judges of the Irish Bench, and we have been told that they will not take part in any matters concerned with the administration of the Criminal Law; and, thirdly, political partizans who have been nominated Members of the Privy Council on account of their subserviency to their Party. These are gentlemen who belong to the very worst class of landlords in all Ireland, and, if not all, they are nearly all of them convicted rack-renters, and it will be seen from the evidence in the Blue Books that they are landlords whose rents have been reduced by 30 to 70 per cent, as in the case of the Marquess of Waterford, who challenged his tenants to go into the Land Court, and asked for an increase of 50 per cent on his rents, whereas the Land Court decided that the proper course to take was to reduce the rents by that precise figure — namely, 50 per cent. The working Members of the Privy Council will consist of objectionable men, such as Mr. Cogan, Mr. Bruen, and Mr. M'Murrough Kavanagh, who have been partizans of the landlord party for any number of years. These gentlemen are personally interested in carrying out the provisions of this Bill.

THE CHAIRMAN: Order, order! I must point out to the hon. Member that yesterday he was interrupted when he attempted to discuss this very point on the Motion for striking out the words "by or with the advice of the Privy Council."

MR. CLANCY: I will not pursue the argument further. I was only anxious to give an analysis of the constitution of the Privy Council. The Attorney General will, no doubt, tell us again about the proposed responsibility of the Executive in this matter, and inform the Committee what the nature of the responsibility will be under which the Lord Lieutenant will carry out this provision. I cannot understand what arguments can be advanced in favour of the notion that this alleged responsibility really exists. What I said yesterday, and what I adhere to, is that the supposed responsibility of the Lord Lieutenant is a perfect sham and a complete fiction. The Lord Lieutenant is responsible, no doubt, to this House, but practically he is irresponsible. In the first place, no opportunity will be afforded to the Irish Members for canvassing the acts of the Lord Lieutenant under the Bill; and if an opportunity were afforded, the result would be that, no matter how arbitrarily the Lord Lieutenant might have acted, there would be a Party vote in his favour. The Lord Lieutenant will be made responsible when the present Government is turned out of Office, but not till then. I hope the time is not far distant when that event will take place; but, until then, the responsibility of the Lord Lieutenant will be a pure sham and a fiction, and I believe that it is, in reality, not regarded in a serious light by the Government themselves. I will postpone any further observations I have to make in support of the Amendment until I have had an opportunity of hearing what the Attorney General may have to say against it. I simply invite the attention of the right hon. Gentleman to the fact that the power which is proposed to be conferred on the Lord Lieutenant is the most sweeping that was ever proposed to be conferred upon any Member of the most arbitrary Government. A power like this ought not to be entrusted to anyone, and in the case of the Lord Lieutenant of Ireland it is scarcely likely that such power would be exercised in an unbiassed manner. I will only express the hope that the discussion will be continued until we succeed in exacting from the Government something like a defence of the clause.

Amendment proposed, in page 5, line 2, after the word "satisfied" insert the words "by a report of a Judge of the High Court."—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): The Amendment moved by the hon. Member is the first of a long series of Amendments on the 6th clause of the Bill. The clause itself is an important one, and some of the Amendments also are important, and, of course, ought to be discussed fairly. Some Members think that the powers proposed to be given to the Lord Lieutenant are excessive, while others are of opinion that if such powers are conferred

they ought to be subject to a greater control on the part of Parliament, but I do not think it would be expedient, even if it would be in order, to discuss those questions on the Amendment now before the Committee. The objection I have to the Amendment is this—if there is a Proclamation the responsibility of issuing it ought to rest upon the Executive itself, and I disapprove entirely of removing that responsibility from the authority to which it ought to attach, and placing it on a judicial functionary. As I have said before, if an Irish Judge were to present a report, it would be impossible for the Lord Lieutenant to avoid acting upon it. We say, therefore, that whatever advice the Lord Lieutenant may obtain in reference to the desirability of proclaiming a district it must ultimately rest with him, whether the Proclamation is issued or not, and he must act on his own responsibility, accompanied by a previous knowledge of the facts.

MR. CLANCY: The Attorney General for Ireland says that the Amendment proposes an unconstitutional course; but the whole Bill is unconstitutional from beginning to end. The real point of the Amendment is this—at whose instigation are associations in Ireland to be put down, in the event of any action being taken for the suppression of political combinations and associations? Is the power to be entrusted to the Lord Lieutenant, or is it to be originated and approved of by some judicial person exercising an independent judgment in the matter? I can conceive that if Parliament refuses to interpose between the Lord Lieutenant and the Executive, some independent authority like an Irish Judge, the only alternative will be that the Lord Lieutenant will be required to put these powers into force, at the instance of local landlords, such as Lord Annaly, whose action in connection with the County of Longford I referred to yesterday. I regret that the Attorney General did not take notice of that case, or of those of other persons who, having had disputes with their tenants, have laid them at the door of the National League. What I fear is that we may have Lord Annaly, or his agent, whispering in the ear of the Lord Lieutenant that certain matters are cases for interference; that the Lord Lieutenant will believe the statements made to him; that he will view the matter with the eyes of the landlord or his agent, and the result will be that an association which may have done no illegal act, and which has been in existence for the public benefit, may be put down at the instigation of a partizan. I am apprehensive that the Government may, by means of a provision of this kind, be able to put down the National League, and if that should happen you will burn into the hearts of the Irish people a hatred of your rule far deeper than that which now exists; instead of endeavouring to remove and mitigate that hatred, you will be doing the best you can to inflame it. I look upon the Bill as a measure which is intended to aggravate whatever disorder and disturbance already exists in Ireland, and I greatly regret that the Government should exhibit so complete an indisposition to accept reasonable Amendments of this nature.

MR. CHANCE (Kilkenny, S.): The whole of this Section 6 and all the powers given by Section 7 are based on the satisfaction of the Lord Lieutenant. I therefore wish to point out the nature of the powers which are to be put in force, and in regard to which he is to act upon his satisfaction. It would appear that the powers themselves are to be retrospective in their action, and the result may be that when a district has been proclaimed every association which the Lord Lieutenant chooses to pronounce to be an illegal association, *ab initio*, even if he had to go back to the time of Adam to find out when it was initiated, may be suppressed. I would ask the Committee to consider what would be the condition of an association which now exists, and which has been declared by the Courts of Law to be a perfectly legal association? Under this measure it may now be declared to be an illegal association, and the Lord Lieutenant, acting upon his own satisfaction, may set aside any legal decision already arrived at. Suppose an association has been established in connection with the letting of land, or for doing certain work. That association may be held to have been, *ab initio*, a criminal association at the will of a Lord Lieuenant, and every contract which may have been entered into will be declared to be illegal. The power of creating retrospectively a Criminal Law should certainly

rest upon no individual but upon Parliament. I have always understood that it is the duty of this House to lay down that certain acts are legal and others illegal, and that the application of the law should rest with the Law Courts and the Judges. It seems to me that the Committee, if they consent to leave this power in the hands of the Lord Lieutenant, will do a most unreasonable thing. The doctrine laid down by Her Majesty's Government is the most monstrous and alarming I ever heard of. They desire to abandon all the fixed rules of criminal legislation; to refuse to define crime any longer; to refuse to allow it to be defined by a legal tribunal; but, on the contrary, to declare that hereafter the discretion of the Lord Lieutenant shall be sufficient for defining what criminal offences are.

MR. EDWARD HARRINGTON (Kerry, W.): I am afraid that the Government can only be regarded as consistent in their consistency. The Lord Lieutenant is to be satisfied that an association has been formed for the commission of crimes, or for carrying on operations for or by the commission of crimes, or for encouraging or aiding persons to commit crimes, or for prompting or exciting to acts of violence or intimidation, interfering with the administration of the law, or disturbing the maintenance of law and order. If the Government contemplate the putting down of crime merely, why should they object to send down a Judge to investigate the circumstance connected with the combinations and associations against which this clause appears to be aimed? If a Judge found that there were unlawful combinations and dangerous associations, he would so report to the Lord Lieutenant; such combinations and associations would be proclaimed and the powers of the Act would be put in force. But what the right hon. and learned Gentleman tells us affords convincing proof that what he has in his mind is not unlawful combinations, but certain political associations now existing in Ireland. I think that in the few remarks he made the right hon. and learned Gentleman thoroughly unmasked the object of the Bill. The Government are not aiming at crime, and when any Member of the Government in an unguarded moment chooses to make a declaration, it at once reveals the true character and intention of the Bill, which are not to grapple with crime at all, but to deal with certain protective associations in Ireland which have been instituted for the purpose of making it possible for people to live in Ireland.

MR. MAC NEILL (Donegal, S.): I think the Committee are entitled to some information from the Government as to what is to be the precise nature of the satisfaction the Lord Lieutenant must have in order to enable him to take the initiative. The character of the typical Lord Lieutenant was well defined by Dr. Whateley, Archbishop of Dublin, more than 30 years ago. In 1852, Archbishop Whateley said that, having acted under 13 Viceregal Administrations, he had come to the conclusion that the days and nights of the Lord Lieutenant were occupied in jobbery, and in endeavouring to provide posts on the Resident Magistracy for ruined gamblers. He added that the Lord Lieutenant rarely, if ever, knew anything of the country until he was sent over to govern it. And how is the Lord Lieutenant to be satisfied under this clause? He is appointed by the Prerogative of the Crown; he knows nothing of the country to enable him to be satisfied; and he can only be satisfied by hearsay from those who give him advice, and who are the paid agents of the Executive Government. The administration of this Bill will be conducted on political considerations, and will not spring from a desire to prevent crime and outrage. The persons who will give the information which is to satisfy the Lord Lieutenant will be persons who depend for their living upon the continuance of the present system. Those who are to satisfy the Lord Lieutenant and the Chief Secretary are the permanent officials in Dublin Castle. The agents of Dublin Castle must satisfy the Attorney General, who is always a political partizan. The right hon. and learned Attorney General—who is generally ingenious—objects to a report from a Judge, for the strange reason that, as Head of the Executive, the Lord Lieutenant is responsible, and that a Judge would not be responsible. Now, under the principles of our Constitution, the Judges are directly responsible to the High Court of Parliament, and the Lord Lieutenant has never yet been made responsible to Parliament. The right hon.

Mr. Chance

and learned Attorney General and the right hon. Gentleman the Chief Secretary are quite satisfied with the conduct of the Lord Lieutenant; but does the right hon. and learned Attorney General remember how, when out of Office, he stigmatized Lord Spencer's Administration? I maintain that this is a measure which has been introduced to meet certain political exigencies. The 19th section defines the expression "Lord Lieutenant" to mean "the Lord Lieutenant of Ireland, or other Chief Governor or Governors of Ireland for the time being." Therefore, the words "Lord Lieutenant" plainly means the Lords Justices; and are there not, in the absence of the Lord Lieutenant, always three Lords Justices, one of whom is the German Prince who acts as Commander-in-Chief, while the other two are Irish Judges? So that in Ireland an Irish Judge will be able to arrive at an opinion without an investigation, which if he were sitting as a Judge in his Court he would be unable to do. It is regarded as a matter of extreme importance to the public that men should be duly and fairly elected to represent the people in this House. But are we to be deprived of all the liberties we enjoy in Ireland simply because the Lord Lieutenant "is satisfied?" If there is to be such a power at all, why should it not be given to a person who would be responsible to Parliament? Lord Cowper, when Lord Lieutenant, expressed his deep regret at the position in which he found himself placed. He declared that he possessed no power at all, although he was nominally the Head of the Government, but that, in reality, it was the Chief Secretary who had all the power, from being a Member of the Cabinet. This clause is to take away the power hitherto enjoyed by the Chief Secretary; to remove all responsibility from the Judges, who, if the Amendment were carried, would be responsible to the Lord Lieutenant, and invest it in the Lord Lieutenant. But even the responsibility of the Lord Lieutenant is illusory, because he will be a mere puppet, and his satisfaction is to be expressed in order to shield those who are pulling the strings behind him.

MR. CHANCE: I will only detain the Committee for a moment. The right hon. and learned Attorney General has supported the retention of the words "if the Lord Lieutenant is satisfied," on the ground that the clause will not give any retrospective power, and that it will create no new crime. But, adopting their own argument, I am entitled to say that Section 6, if it is to be defended at all, must be defended on the ground that it delegates power to the Lord Lieutenant, if he "is satisfied," to declare that an association has "been formed for the commission of crimes;" and Section 7, which is merely a punitive one, gives power to the Lord Lieutenant to prohibit and punish all such dangerous associations, the limitation being that an order must be made before the association is to be punishable. It, therefore, appears to me that the Bill does give to the Lord Lieutenant a retrospective power, and, in my opinion, that is an additional reason for accepting the Amendment, which would deprive him of the power of enforcing this section upon what his termed his "satisfaction."

Question put, and *negatived.*

MR. CHANCE (Kilkenny S.): I beg to move the Amendment which stands in my name—namely, in line 6, to leave out the words "encouraging or." I propose to make some observations on the Amendment, after I have heard what the Government have to say upon it.

Amendment proposed, in page 5, line 6, leave out "encouraging or."—(*Mr. Chance.*)

Question proposed, "That the words 'encouraging or' stand part of the Clause."

MR. CHANCE: As the Government do not propose to defend their clause by argument, but simply to bring their men from the Smoking Room to vote against the Amendment, I wish to say that I object to these words "encouraging or," because I never yet heard those words used as a legal phrase, and because they are not to be found in any legal definition of any known crime. I do not see why the Government have not adhered to the well known term, "aiding and abetting," or why, in this Bill, they should go for their phraseology to some non-legal source. An association formed for encouraging persons to commit crime is an extraordinary collocation. I see no reason for adopting these words, and I trust the Committee will not come to a Division until they have heard some shadow

of a reason for the adoption of them. The words may have been taken from some old Act of Parliament, but, if so, it is an Act altogether unknown to lawyers.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): They are used in other Acts of Parliament.

MR. CHANCE: I would ask the hon. and learned Gentleman not to misapprehend my observations? I said distinctly that they may be found in some odd Act of Parliament; but they are not the more valuable on that account.

MR. GIBSON: The words to which the hon. Member objects are taken from the 34th section of the Crimes Act of 1882. The word "encouraging" is very well known to lawyers. [Mr. CHANCE: No, no.] I repeat that the word "encouraging" is well known to lawyers, and it appears to me that "promoting or inciting to Acts of violence" and "encouraging or aiding persons to commit crimes" are convenient words.

MR. MAURICE HEALY (Cork): So indefensible is the word "encouraging" in this connection, that in a previous part of the Bill the Government declared their willingness to strike it out. The word "encourage" in the last sub-section of Clause 2 was objected to by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler), who put down an Amendment to omit it, when a Member of the Government got up and said he was prepared to accept that Amendment. Ultimately the Government left out the whole of the sub-section, and consequently there was no opportunity afforded for getting an expression of opinion from the Committee. The fact, however, remains that the Government omitted this very word "encourage" from the 2nd clause of the Bill. The word is altogether unknown in legal terminology. I venture to assert that an indictment for "encouraging" instead of "aiding and abetting" to commit crime would get a very short shrift. The Solicitor General tells us that the expression is exceedingly convenient. I have no doubt that it will be convenient to use this exceedingly singular form of expression—that every power put into the hands of the Lord Lieutenant will be a convenient power, and that the more atrocious it is the more convenient it will be. It will be most convenient that persons who are prosecuting associations and combinations should be able to couch their views as to such associations in vague language. The hon. and learned Gentleman has mentioned one instance in which the word has been used—the Crimes Act—but I challenge him to justify it by showing that it is a familiar phrase in legal documents or in Acts of Parliament. I deny that it is, and I am prepared to take issue upon the matter. He has only referred to one instance—the Crimes Act of 1882—which is the usual resource of the Government whenever they want any argument whatever. I decline to accept the Crimes Act as a precedent in the matter, and I tell the hon. and learned Gentleman that no section similar to this is to be found in the Crimes Act. The words "illegal associations" in the Crimes Act had some meaning, and I ask the Government what it is they wish to strike at in this Bill. Why do they not content themselves with legal terms already existing and well known? If they want to strike at illegal associations or the aiding and abetting of crime, let them do so, but not by adopting the term "encourage," which will enable the Irish Executive to suppress any association which they may make up their minds ought to be put down. The Government now attempt to defend this word "encourage" by saying that it is taken from the Crimes Act; but they made no attempt to do so when the right hon. Gentleman the Member for East Wolverhampton moved to omit it from the 5th sub-section of Clause 2.

MR. MOLLOY (King's Co., Birr): The same old argument is again used—namely, that the word is in the Crimes Act, but in all indictments in regard to the commission of crime which I am acquainted with, the words are "counselling, aiding or abetting." Those words are well understood, but I have not the faintest idea what "encouraging" crime is. I should like the hon. and learned Solicitor General to give the Committee a definition of the term; it is not aiding or abetting, and it is a word unknown to the Criminal Law of the country. Crime under this Bill is not to mean crime in the ordinary sense of the word, and although I do not think it will make much difference whether it

is in the Bill or not I feel bound to enter my protest against its introduction. About four years ago a boy 9 years old was arrested for whistling "Harvey Duff" an air which is not acceptable to policemen. Would that be held under this clause to be encouraging to the commission of crime? or would another boy by laughing at the whistling of that or a similar air, be held to be "encouraging" crime, and be liable to punishment?

MR. CHANCE: I do not believe the omission of this word would make the slightest difference, as the Lord Lieutenant woud do whatever the Cabinet directed him and would ride roughshod over the people. But as the words known to the law are, "promoting, inciting, aiding or abetting." I think that it is important the Committee should divide upon the Amendment, and I hope the Division will be taken at once.

MR. EDWARD HARRINGTON: I do not pretend to possess any legal knowledge, but I think the Committee will bear me out when I say that the persons who framed the old laws of the country were quite as competent lawyers as those who are now engaged in framing new ones. In olden times our legislators sought to put into Acts of Parliament words which had some meaning and which were as expressive as it was possible to make them. I do not object to the word "inciting," because everyone knows what it means; but I think that "encouraging" is much too noble a word to use, seeing that a man is encouraged for some good and noble purpose, and that the word should not be employed when it is to deal with incitement to crime. Those who cheer or laugh, and are thus thought to give moral encouragement to any person resisting the authorities, will be brought within this word of the clause, of which the most indiscriminate use can be made.

MR. LABOUCHERE (Northampton): I think the hon. and learned Solicitor General for Ireland (Mr. Gibson) is perfectly right in opposing the Amendment of my hon. Friend. The object of the Bill is to give absolute and arbitrary power to the Government of Ireland, and of course the Government are not so silly as to tie themselves down to legal words, and it is therefore unreasonable to expect that they will strike this word out of the clause.

THE LORD MAYOR OF DUBLIN (Mr. T. D. SULLIVAN) (Dublin, College Green): I agree with the hon. Gentleman who has just spoken, that there is no chance of inducing the Government to withdraw this word. I think, however, it was desirable that the Irish Members should point out the scope and meaning of the word, so that there should be no misunderstanding about it. Henceforward everything in Ireland will be a crime that any Resident Magistrate chooses to call a crime, and the word "encourage" will give them still wider facilities for bringing the whole of the Irish people under the purview of the provisions of this Bill, the inherent atrocity of which will cause it with certainty to break down. Nor will the Government attempt to carry out the powers of the Bill to the fullest extent. They will go to work like sneaks and cowards, bringing the Act into operation in some cases and not daring to enforce it in others. They will arrest certain young men in remote parts of Ireland who are obnoxious to the local landlords, and are leaders of a local association, while they will not dare to punish others. It is an infamous measure which is certain to break down by reason of its own atrocity.

Question put.

The Committee *divided*:—Ayes 137; Noes 106: Majority 31.—(Div. List, No. 235.) [7.45 P.M.]

MR. CHANCE (Kilkenny, S.): On rising to move as an Amendment the omission, in page 5, line 7, from the word "promoting" to the word "order," in line 9, both inclusive, said—Subsection (d) runs thus. "Promoting or inciting the acts of violence and intimidation." I wish to point out that the words of Section 2 of this Bill are "Any person who shall wrongfully and without legal authority use violence," whereas here the words "wrongfully and without legal authority" are dropped, which has the effect of making the action of any society amenable to the clause, whether criminal or not. Now it seems to me that if the words of the clause are to remain as they are, even a football club would be a society within the meaning of the Act; and the same might be said with regard to the College of Surgeons. I think, that having re-

gard to the fact that the Government have spent several months in hatching the Bill, they might have framed it in the terms of common sense. The reason why I propose to omit these sub-sections is, that you have already covered the commission of crime and the aiding and abetting of crime, and that, therefore, these words are unnecessary, and can have no meaning or use except in the case of something distinct from crime. If you disturb the maintenance of law and order, that is a crime, and again, that falls under Sub-sections (a), (b), and (c). We are therefore forced to the conclusion that those sub-sections are aimed at some other object than crime, and, therefore, I ask the Government to accept the Amendment which I beg to move.

Amendment proposed, in page 5, line 7, to leave out from the word "promoting," to the word "order," in line 9, both inclusive.—(*Mr. Chance.*)

Question proposed, "That the words 'promoting or inciting to' stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): In the opinion of the Government, what is provided against here is not dealt with by previous clauses of the Bill; nor do I think with regard to Sub-section (d), which the hon. Gentleman says is already included in (c), that the hon. Gentleman has made out his case. Again, if he were right in his view, the result would be that the words would be superfluous, and that being so they could do no one any harm. That, however, is not my contention; it is that, having regard to the description of associations with which we are dealing, the Government consider it desirable that the wording should remain in its present form so that the public should be able to understand the scope of the clause, and for that reason we are unable to accept the Amendment of the hon. Member.

MR. R. T. REID (Dumfries, &c.): This clause enables a special Proclamation to be issued by the Lord Lieutenant if he is satisfied that an association exists in any part of Ireland having some of the objects in view which are specified in the clause. Supposing the Lord Lieutenant were to take it into his head to proclaim the Orange Association in Ulster on the ground that it had promoted acts of violence; he might proceed forthwith to order that the National League should be suppressed in Kerry, and thenceforward every one belonging to the League would be guilty of an offence under the Act. I believe the Lord Lieutenant might go further than this if he liked, and suppress the British and Foreign Bible Society under this section, or other similar societies. Of course I do not believe he would do that; my point is to show that the Lord Lieutenant is here given despotic powers. I cannot think that any Oriental despot has greater powers than are given here; and, therefore, I say there should be some very strong occasion on which the Lord Lieutenant should be at liberty to bring into operation the power of this section. If there were in existence a society for the perpetration of crime there is very little that I would not agree to for the purpose of suppressing it; again, if there were a society for the purpose of encouraging or aiding persons to commit crime, in that case also I can understand that the House should give ample means to the Lord Lieutenant for calling these powers into operation. But Sub-section (d) speaks of promoting or inciting to acts of intimidation. Now, I do not agree with the hon. and learned Gentleman the Solicitor General for Ireland that this is not covered by the preceding head. I think it is. But I also agree with my hon. and learned Friend that, if it is not covered, it is because the clause has reference to acts which are not criminal. It comes to this, that from the mere existence of associations not for criminal purposes there shall spring occasion for bringing these tremendous powers into force. But it is still more objectionable that the clause should enable the Lord Lieutenant to apply those powers in the case of interference with the administration of law or the maintenance of law and order? I ask if there are two score of men in this House who agree in what constitutes the interfering with the maintenance of law and order. Suppose we carry ourselves back to the Reform Bill of 1832, there was, at that time, great agitation for the purpose of obtaining extension of the franchise. It is notorious that that agitation was considered as most dangerous, and tending

to disturb the maintenance of law and order, and yet no one now dreams of saying that it was not a beneficial agitation, and no one can say that it would not have been wrong to suppress it. The same may be said with regard to the Anti-Corn-Law League, which was denounced as a league disturbing the maintenance of law and order. The Committee should remember that this Bill is intended to be permanent and not restricted to a few years existence. That being so, is it not dangerous to admit such language as this? Suppose that hereafter this Bill comes to be used by a Government which has a very strong opinion with reference to the Orange Society. I can quite understand that it might be considered, very reasonably, especially by a Nationalist Government, that the Orange Society was a society for disturbing the maintenance of law and order. That would be sufficient to enable these powers to be exercised. The whole objection I have is this — so severe, so extensive, and I must say so tyrannical are the provisions contained under Section 7 of this Act that it seems to me essential that you should have a very strong occasion in the mind of the Lord Lieutenant before he is at liberty in any way to bring such a power into play, and if the Lord Lieutenant cannot be satisfied with Heads (a), (b), and (c), or even (d), surely you ought not to use such vague and dangerous language as is put down in the last sub-section.

COLONEL NOLAN (Galway, N.): I am afraid that in giving these great powers to the Lord Lieutenant it is generally presumed that he is naturally a very excellent man, and will use them in the most careful manner, and that instead of abusing he will hardly act up to the extent of his powers. That is the general tone of Her Majesty's Government. Now, that tone has been very well adopted by the hon. and learned Solicitor General for Ireland (Mr. Gibson), contrary, I think, to his natural disposition, which is to argue every matter fully and fairly. But, I ask the Committee, is it proper to suppose that we shall always have this sort of action on the part of the Lord Lieutenant? I know a right hon. Gentleman—a man of great ability—who, at the beginning of the Session, asked for the power of the closure to be used in the mildest manner, and yet that right hon. Gentleman went last week to the extent of moving that this Bill be reported next Friday with the intention that any questions remaining over at that date should be voted upon in silence. Now, I expect that the Lord Lieutenant in Ireland will act in a manner exactly similar—he will follow the example of the right hon. Gentleman to whom I am alluding. The Lord Lieutenant may wish generally to do what is right, but when he is pushed hard in times of excitement he will be disposed to strain his powers. It is for that reason, I say, that we ought to give him not maximum but minimum powers, and such that, if he is a good man, they will do no harm, and if he is a bad man, will do harm to the least possible extent. At the present time Ireland is in an extremely quiet state, and is likely to remain so. I think we are giving powers to the Lord Lieutenant to break up political associations, unless he is restrained by his conscience. I do not, however, expect much from the conscience of the Lord Lieutenant—I do not say that he has not got one, but that we must not hope much from it when he is putting this Act in force. I remember the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) saying that English Parties were not in the habit of pushing each other very hard, and I believe that that is very true. They do not try to put the Opposition into prison, they only abuse them. But that does not apply to Irish Parties, nor does it apply to Englishmen who come into power in Ireland. When Englishmen come into power in Ireland, I am sorry to say that the rule of not pushing Parties very hard is not applied, and I should be always afraid that if you give one Party too much power they will push their opponents too hard. I say that this clause does give them too much power; I say it gives them power to punish any individual, any district, and any political association whatsoever in Ireland that may be opposed to the great Conservative Party. I do not know any Party that may not be accused of, at some time or other, inciting or promoting acts of violence or intimidation. I admit that it is a proper thing to bring before a Judge and punish a person who has committed acts of violence. If you can prove that a society has committed acts of violence or intimidation, then I think

it is perfectly fair to punish the members of the society by whom those acts are committed, and I think that the chairman who counselled or took part in them might be liable. But that is not the meaning of this clause, which is simply to allow the Lord Lieutenant to suppress any societies he may choose in Ireland—the Home Rule League for instance. I am a member of the Home Rule League, and that League might have been put down 20 times under this clause, although it has never at any time committed an act of violence or intimidation; you could have put down such combinations with the greatest ease, and by means of this clause you could have checked a very important political movement. Now, when you see that the Lord Lieutenant could have used the clause to put down such a harmless association, do you not think it is dangerous to give him such extensive powers. There may be other similar associations spring up in Ireland. Supposing there was a Conservative Association in the North of Ireland, and that a right hon. Gentleman from the Conservative Government in England went to Ireland and told them to wave their banners and charge with all their chivalry, might not a Liberal Lord Lieutenant think that was an incitement to violence and intimidation, and put the association down? Waving of banners might only have a poetical meaning, but a Liberal Lord Lieutenant might think otherwise, and suppress the association. That, I admit, is not a thing likely to happen; but I say we shall feel it to be equally hard if one of our speakers should burst into an exhortation, not quite so refined, perhaps, as the allusion to banners and chivalry, and the Lord Lieutenant should exercise the power of suppressing this political association to which the individual belongs. You are giving this very dangerous power to the Lord Lieutenant, and I am afraid that some future Lord Lieutenant will exercise it in the way I have described. I ask you to give fair play to political associations in Ireland, because you are by this Bill destroying the right of association, without which it is impossible for our political Parties to exist. For these reasons, I do not think it right to give these extreme powers to the Lord Lieutenant.

Colonel Nolan

Mr. ANDERSON (Elgin and Nairn): I am sorry that the Government do not appear to attach any importance to this Amendment, especially after the definition given by the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) as to matters of principle. I cannot conceive anything involving a more important principle than this Amendment. This clause gives power to the Lord Lieutenant to make a proclamation of societies. But do Her Majesty's Government thoroughly understand what is meant by a Proclamation? It means that instead of this House making the law as has always been the case, it is left to the Lord Lieutenant to say that certain associations are criminal, which is putting in the hands of the Lord Lieutenant the power of creating a criminal offence. I am sure that the Government will see that this has always been a great question in this country; it was carried on in the time of the Tudors and the Stuarts, who always claimed for themselves the power of creating crimes and offences by Proclamation. It is this which Parliament has always interfered to prevent; and I say we are now re-enacting some of the worst measures of the Middle Ages. We are giving to the Lord Lieutenant of Ireland the very power which this country has always condemned. I think that what I have pointed out carries us to this length, that you ought to limit a power of this kind to the utmost. I do not know to whose ingenious imagination we are indebted for these words; but I am sure that their selection must have involved a great deal of study. The Scotch Law Officers are not here at the moment; but I am certain that no precedent for the words can be found in the Scotch law. I wish to point out that nothing can be more vague or more wide than the language of this subsection—"Interfering with the administration of the law or disturbing the maintenance of law and order." I will take as an illustration a case of interference with the administration of law in Scotland. I refer to the agitation which took place among the crofters in the Northern counties of Scotland against excessive rents.

The CHAIRMAN: The hon. and learned Gentleman is debating this Amendment in a very general way. There is a special Amendment proposed

to these particular words upon the Paper, and it would be more convenient to take the discussion upon them hereafter.

MR. ANDERSON: I have to express regret if I am going beyond the Question; but my wish is to illustrate the meaning of the words "interfering with the administration of the law," which is within the Amendment before the House.

THE CHAIRMAN: That is quite true, but I have pointed out that there is a special Amendment on the Paper referring to these words exclusively, and that it would be more convenient to take the discussion upon them later on.

MR. ANDERSON: I shall not trespass at great length on the time of the Committee. What I have to say is contained in a very few words, which I think will appeal to the intelligence of most people, certainly of those in the North of Scotland, because the association I have referred to would come within this clause as an association interfering with the administration of the law. We have heard that rents in Ireland have been cut down under the Land Bill by 30, 40, and 50 per cent, and I tell the Committee that it is because Her Majesty's Government have refused to extend the law to Scotland that I propose to get up an association to bring about that result. We shall no doubt be told to-morrow by the organs of the Government that a great deal of time has been wasted to-night in the discussion of matters in which no principle is involved. But it has been clearly put before the Government what are the objections to the words of the clause. It is a wearying process, I must say, to urge anything upon the Government with the object of amending this Bill; it is like the waves beating against the granite rock. There is no response from the Government; there is no attempt whatever on the part of the Treasury Bench to meet these difficulties or to give way on any question of this kind, nevertheless, I hope that one of the Law Officers of the Crown will get up and make some concession in this matter. Is it intended to make it criminal to belong to the National League? If that is so, I do not think it is understood by the country, although it is clearly the effect of these words. It has been truly said that there is no political association in the country, if you come to the legal definition of it, which would not come within the wording of the section. The hon. and learned Solicitor General for Ireland says "No!" But he belongs to an association, and I am sure that as a member of it he has uttered words which would come within the meaning of this clause—language strongly condemning the law and strongly condemning the acts of the Liberal Party when in power, of course not inciting to violence. No doubt the hon. and learned Gentleman has indulged in general expressions of contempt and abuse of the legislation of his opponents. That, I think, will come within the meaning of this clause, and I say that to have the Government proposing such legislation, and leaving it to be carried out by a partizan official such as the Lord Lieutenant of Ireland must be, is a matter of grave danger.

MR. MAURICE HEALY (Cork): The hon. and learned Gentleman who has just sat down has compared the attitude of the Government with regard to our Amendments to the resistance of a cliff to the angry waves. But I should be sorry to think that hon. Gentlemen opposite resemble a granite cliff in this sense, because their position was more correctly described earlier in the debate by an allusion to mud. It is strange that the Government could listen to the speech of the hon. Member for Dumfries (Mr. Reid) without making any attempt to answer it, which only shows how complete a reliance they have on the servile way in which they will be followed into the Lobby by hon. Gentlemen opposite, no matter what may be the merits of the question on which they vote. One word on the Amendment before the Committee. You have expressed your opinion, Mr. Courtney, that it would be inconvenient to discuss an Amendment relating to the subsequent part of the clause, and I shall therefore confine my observations to the sub-section before us. In the first place, I put down an Amendment to the sub-section to omit the words "promoting or." I object to the words promoting or inciting to acts of violence for the same reason as at a previous stage of this Bill we objected to the word "encouraging." It is a word which the Lord Lieutenant may construe at his own will and pleasure; he may apply it to any act he chooses, and having done so, he may bring within it a large num-

ber of acts which would be wholly outside this Bill. I think the Government should be compelled to restrict the wording of the Bill to well-defined legal terms having a well-known meaning in Courts of Law, and therefore easily understood by all parties. The word "promoting" is not a legal word. I do not think it is to be found in the Crimes Act, although the Government justify the word by saying it is to be found there. Even if it be there, I venture to say that it is a word of a vicious kind. It is an elastic word—one that can be extended to any degree, according to the will and temper of the man who construes it, and therefore the insertion of it in an Act of Parliament practically creates this state of things—that instead of being bound by well-known legal rules a man will be practically in the power of the Government in the matter of the interpretation of the word. One word upon the question as to the Sub-head (d). I entirely challenge the assertion of the hon. and learned Solicitor General for Ireland (Mr. Gibson) that the words "promoting and inciting to acts of violence or intimidation" are here nothing but mere superfluity. I deny that they cover any class of offence which is not also covered by the words of previous clauses which we have passed. The hon. and learned Gentleman takes a somewhat unusual view as to the effect of the words. He says that in his opinion if there are words of an Act of Parliament which are superfluous, there is no necessity for expunging them, because being superfluous they are also harmless. But we on these Benches have been accustomed to hear from right hon. Gentlemen opposite the oft-repeated argument that they cannot accede to our proposals, because — as their favourite phrase is—they would be superfluous. In this respect, then, the hon. and learned Gentleman appears to maintain a different opinion from his learned Brother on the Treasury Bench, who has used this argument with regard to superfluity over and over again as a reason for not accepting Amendments proposed on this side of the House. Leaving this subject, I come now to the real question before the Committee—Do the words before us cover any class of acts which is not covered by the clauses of the Bill which have been already passed? Let us, in the first place, compare this section with some of the previous sections of the Bill and some of the previous sub-heads of the clause. This subsection strikes at various acts described as promoting or inciting to acts of violence and intimidation, and, of course, in discussing it we are at a disadvantage, inasmuch as we are discussing words the exact meaning of which we do not know. It is impossible for any hon. Member to get up and say that the power to deal with associations is not also given in another clause of the Act. We have a reference in the Bill to "any offence under this Act," and acts of violence are also punished under Clause 2. But I will not pursue that argument, because an association inciting to acts of violence or intimidation is of its own action conspiracy; it is an association the object of which is illegal, or the means which it selects for the promotion of those objects are illegal; and, that being so, it comes under a previous section of the Bill. Sub-clause 2 makes that specifically an offence against this Act—it is a crime within the meaning of the section. You have put in words here which agree with no definition in the Bill. The Government are confusing the issues. It necessarily follows that an association for promoting or inciting to acts of violence or intimidation is an association struck at by Sub-sections (a), (b), and (c), and there is no necessity for striking at it by any other process. We are struck with the manner in which this Bill has been drafted. The right hon. and learned Gentleman says that the object of the draftsman has been to make the Bill as general as possible. I fully recognize the enormous difficulties in the way of anyone engaged in the work of making a Bill of this kind as general as possible, and I am not disposed severely to criticize the Bill before us in that respect, although I have had considerable difficulty in understanding why the draftsman has resorted to one form of expression more than another. Now, our object is not to make the language of the Bill general, but specific; at any rate, the duty is cast upon us of scrutinizing and examining the phraseology of the Bill, and seeing that the Government do not take, in an indirect and unfair manner, powers which they would not dare to set forth nakedly in the body of the Bill, because

it would shock the common sense of the dullest and most obtuse of their supporters. These are the reasons for which I support the Amendment before the Committee.

MR. HANDEL COSSHAM (Bristol, E.): I think these words are so very vague that it is possible there will be a misunderstanding with regard to them. The clause is so indistinct and general that it is not, in my opinion, fit to be put into unlearned hands. I think, besides, that no man should be trusted with the powers here given to the Lord Lieutenant—no matter what may be his position or character. I say that no man should be entrusted with the arbitrary powers of this section of the Bill. If we were to confer these powers on a Lord Lieutenant in this country I wonder how long the people of England would endure it. My own opinion is, that if you conferred upon him one-tenth of this power you would have a revolution in a short time. I venture to say you would not put this power to-day in the hands of the Sovereign, and I venture to think that what we should not allow the Sovereign or a Lord Lieutenant to do here ought not to be allowed to be done by the Lord Lieutenant of Ireland. As a Liberal, I am opposed to arbitrary government; and as I think this is the most arbitrary proposal ever brought before the House of Commons, it ought to be restricted. Not only do I object to this power being given in the case of Ireland, but I regard it as aiming a blow hereafter at our liberties here; and I therefore trust the Committee will not agree to the clause as it at present stands.

Question put.

The Committee *divided:*—Ayes 132; Noes 95: Majority 37. — (Div. List, No. 236.) [8.45 P.M.]

MR. CHANCE (Kilkenny, S): I beg to move, in line 7, after the word "to," to insert the word "unlawful," so that the line will read, "promoting or inciting to unlawful acts of violence or intimidation." I do not think it necessary to occupy the time of the Committee for long upon this Amendment, as I assume that the Government will make no difficulty in accepting it. In Section 2 in a sub-clause we find these words—"any person who shall wrongfully and without legal authority use violence or intimidation." The principle involved there and in the clause we are now discussing is the same. It is evident that if Clause 6 is not amended in the way I propose persons who combine for the purpose of promoting or inciting to acts of lawful violence and intimidation will be rendered criminal and subject to the pains and penalties of the Act.

Amendment proposed, in page 5, line 7, after the word "to," insert the word "unlawful."—(*Mr. Chance.*)

Question proposed, "That the word 'unlawful' be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): We cannot accept the Amendment proposed by the hon. Member. If we were to accept it, what would be the result. It would imply that an organization might be formed for the purpose of promoting or inciting to acts of violence and intimidation which might be perfectly, properly constituted, and rightly conducted. I altogether deny that that could be so. I contend that we have a right to assume that an association for the purpose of promoting and inciting to acts of violence and intimidation in their very institution are such as to come under this Bill and the provisions of this section. I cannot understand what the hon. Member opposite means by a society mainly for the purpose of inciting to lawful acts of violence and intimidation. The fact of an association being deliberately formed for the purpose of promoting these things is enough to brand it as an association of an unlawful kind. I cannot accept an Amendment of this kind, or admit that under any circumstances it is justifiable for an association to be formed for the purpose of promoting or inciting to acts of violence or intimidation.

MR. CHANCE: I regret that the right hon. and learned Gentleman was not in the House earlier when I pointed out that, under Sub-section 2 of Clause 2, the Committee has limited punishment for acts of violence or intimidation to persons who shall "wrongfully and without legal authority" use them. I will give the right hon. and learned Gentleman an example of an association which may be established for the purpose of promoting or inciting to acts of lawful violence or intimidation. He will find such an association in a football club. Are not

football clubs established for the purpose of promoting acts of violence and acts of intimidation? The right hon. and learned Gentleman assumes that there could be no violence without illegality——

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. CHANCE: I was saying, when interrupted, that violence, in the opinion of the right hon. and learned Gentleman, seems necessarily to involve illegality. I do not know whether the right hon. and learned Gentleman is serious in that opinion, or whether it is an opinion given on the spur of the moment—perfectly honestly, no doubt, but one which would not be persisted in after a moment's thought. He implies clearly and distinctly that all intimidation involves illegality. If that be his opinion, I beg again to call his attention to Sub-section 2 of Clause 2, which says—

"Any person who shall wrongfully and without legal authority use violence or intimidation to or towards any person or persons, either to do any act which such person or persons has or have a legal right to abstain from doing, or to abstain from any act which such person or persons has or have a legal right to do, &c."

In the first part of that sub-section you will find it is implied that there is violence or intimidation that might be used rightly or with legal authority. Intimidation is not necessarily illegal. A Judge intimidates a prisoner when he sentences him to five years' penal servitude for the commission of a crime. The Royal Irish Constabulary is an association formed for the purpose of committing acts of intimidation; every Police Force is the same. Every Police Force intimidates; but can it be urged for a moment that they are unlawful associations? I think it only reasonable to ask that this clause should be limited to attempts to use unlawful acts of violence or intimidation. It seems to me that it is necessary to add the word "unlawful." If the right hon. and learned Gentleman takes exception to the insertion of that word before the word "acts," I should be prepared to withdraw the word and insert it before "violence." I should like to have an intimation from him as to whether he would accept that proposal.

MR. HOLMES: It is perfectly true that a person might have full legal authority to commit an act of violence; but an association formed for the purpose of promoting and inciting acts of violence is a perfectly different thing. It seems to me that the hon. Gentleman, in the argument he addresses to us with regard to a football association, is trifling with the intelligence of the Committee. Football clubs are not formed for the purpose of promoting acts of violence, but for the purpose of indulging in a game——

MR. CHANCE: Of violence.

MR. O'DOHERTY (Donegal, N.): It seems to me that an association which should come under the pains and penalties of this clause should be one that the Lord Lieutenant is satisfied is established for the purpose of promoting and inciting to acts of unlawful violence. Some safeguard to that effect should be adopted. I think the right hon. and learned Gentleman is certainly wrong in this matter. I know many associations in the North of Ireland which are intended for self-defence, and, at the same time, to put others into fear of their strength. I am sure the right hon. and learned Gentleman will remember what was called the Defence Association of Derry. That association was formed for resisting an organized system of violence which had prevailed for a length of time in that city. I do not know, but I am almost certain, that the right hon. and learned Gentleman himself was consulted as to the rules of that association. I know this—that a learned Judge was consulted with reference to those rules, and I know that it was an association formed for the purpose of making the body to which the members belonged respected by reason of their physical strength; and, undoubtedly, so far as anything could promote or incite to acts of violence or intimidation, the rules of this society did. Well, I will give another illustration to the right hon. and learned Gentleman. Take the case of a body formed for the purpose of organizing meetings with reference to a particular class of legislation, and promoting the ends of that legislation by large meetings. Now, I think these are acts which any Lord Lieutenant who is strongly opposed to that class of legislation would be satisfied, in his own mind, were of an intimidating character,

and likely to create fear. I know a case in which I believe the right hon. and learned Gentleman would at once agree with me that an organization is established for the purpose of farmers using violence to put down certain acts of landlords—as, for instance, hunting over their land without their authority for doing so. That is a very common thing. When the tenants discovered their rights, and found that they were able to prevent trespassing on their land they, in many places, refused the landlords a right of way for the purpose of hunting. The landlords met them with their whip-sticks, until some tenants assembled together and used violence in return. Such an assembly—such a combination—is a combination for the purpose of promoting or inciting to violence; but surely it is not an illegal association, seeing that it is only for the protection of their own interests. And there are many instances where associations formed for self-defence necessarily contemplate acts of violence in the carrying out of their work. What is the meaning of violence? The right hon. and learned Gentleman takes it to mean illegal force, whereas, as a matter of fact, it only means force. We can understand that there are many acts of force that would be perfectly useless unless they were acts done in concert and enforced by large combinations. Then as to intimidation, if the Government will look at their own definition, they will see that it is a most extraordinary one. They say that in the Bill the—

"Expression 'intimidation' includes any words or acts intended or calculated to put any person in fear of any injury or danger to himself, or to any member of his family, or to any person in his employment, or in fear of any injury to or loss of property, business, employment, or means of living."

We might read in this sub-section of the 6th clause, "promoting or inciting to words or acts;" but that would never do. It must be to a matter of violence, so that you have "promoting or inciting to intimidation;" but then we have no exhaustive definition of intimidation; it is simply described in the Bill as "words or acts intended and calculated to put any person in fear," so that the sub-section really means—"Promoting or inciting to acts of violence, or promoting or inciting to words or acts intended and calculated to put any person in fear of any injury," &c. It certainly seems to me that this Sub-section (d) was prepared by the Cabinet in the absence of the lawyers, and that the lawyers had to take—as many and many times they have had to do in these matters—words they would have preferred not to take from the superior authority. We have, in Sub-section (c), encouraging or aiding persons to commit crimes. Although there is not much evidence of the handiwork of the lawyer in these words, still they refer to crimes; but, in Sub-section (d), the words are, "promoting or inciting to acts of violence or intimidation," and something here may be touched which is not crime. That is what my hon. Friend means when he asks the Committee to put in the word "unlawful" before "acts of violence or intimidation," because the lay mind of the Lord Lieutenant, when his attention is called to these matters, will say—"I do not think this violence or intimidation is crime at all." But it will be said to him—"Look at the other sections; it is not necessary for an act to be a crime at all, and Clause 6 is directed against any association which interferes with the administration of the law or disturbs the maintenance of law or order." The clause, in this way, will apply to almost any association. It is plain that the object and intention of the clause is to enable the Government to put down any combination, the combination itself being its own force, and its own existence being the fear it creates. It seems to me that this clause is simply framed for the purpose of putting down associations which have large numbers belonging to them. I think, in fact, that a more insidious and dangerous sub-clause there could not be. Remember that no judicial inquiry is to precede or to follow this. The Government take power to put down combinations with a strong hand. It is not a question of bringing up the members of these associations, and proving them to be so-and-so; but they are to be proclaimed, and immediately subjected to the bludgeon, if the Lord Lieutenant believes them to be members of an association coming within this clause. It seems to me necessary to avoid the use of words which are not capable of being grasped by the lay mind; and I think there should be a strict distinction between one class of words and another, especially in a sec-

tion full of very wide and general terms. I think the Committee ought not to pass this clause as it stands, and my hon. Friend will do well to press his proposal to a Division.

MR. JOHN O'CONNOR (Tipperary, S.): I understand that the Amendment is to insert the word "unlawful" before the word "acts," so as to qualify to some extent the words "acts of violence and intimidation." Now, this whole line is made up of words of a most drastic character. "Promoting or inciting to acts of violence or intimidation" need, to my mind, very careful qualification. I can quite conceive many circumstances under which an hon. Member of this House, a most moderate man, a man most moderate in his language, might come under this clause and be subject to the pains and penalties of the Bill for offences against these provisions. I can quite understand a Member of this House meeting his constituents or a portion of his constituents assembled together at a meeting of the National League. This clause is directed against dangerous associations. Well, let us suppose for a moment that a Member of this House met a portion of his constituents, and they, assembled together as an organization or branch of the organization of the National League, decided to attend in a body, we will say, a Sheriff's sale—an instance which may occur in a few days. Suppose that, although it was no part or parcel of the business of the branch of the association to attend that sale, or to offer violence, that violence is offered to those engaged in carrying out the sale, or that intimidation is indulged in with regard to the persons who have been present at that sale, would it not be possible for the Lord Lieutenant to proclaim that branch of the organization? Would that not be possible, although, as I say, it was no part of the business of the organization even, or, at any rate, to do more than to be present, in consequence of somebody having been carried away by passion or recklessness, was led to indulge in violence or intimidation? It would be possible, under such circumstances and under the elastic words of this section, for the Lord Lieutenant to proclaim the whole of that branch of the National League. This is one of the reasons why I hold it to be absolutely necessary to qualify these words "violence or intimidation" by the insertion of some such words as those proposed by my hon. and learned Friend. As my hon. Friend the Member for North Donegal stated just now, in the case of a landlord hunting over a farmer's land violence is sometimes used. Now, in discussing and considering this Bill, it is necessary always to bear in mind that it will be put into operation and its terms will be interpreted by a class of magistrates in Ireland who are identified in every social feeling with the landlords of Ireland; and I have no doubt but that if a number of tenant farmers came together, let us suppose, after Mass on a Sunday, in the chapel yard, without any connection with the National League, and decided that they will put down hunting, as we read this clause, in connection with a later clause—namely, Clause 7—which provides that in this section the term "association" includes any combination of persons, whether the same be known by any distinctive name or not they will be open to the pains and penalties of this section. Those persons who meet in the chapel yard to decide that there will be no hunting over their land, according to the terms of this Act of Parliament, may be considered by the Lord Lieutenant an "association," and everyone who attended that meeting, although its object was simply to do what they had a perfectly legal right to do, will be subject to punishment under this Bill. That is another case, then. For these reasons, then, I believe that the Act, or rather that this clause, requires modification. But not only in connection with a Sheriff's sale, and not only in putting a stop to hunting, but also it is quite possible under the elastic terms of this Bill to conceive that the Lord Lieutenant may consider a public meeting held for any purpose whatever, or a series of public meetings, to constitute an association within the meaning of this Bill. I myself have, in the course of the conduct of this movement in which we are engaged in Ireland, held a series of meetings in a district within a radius of four miles. Certainly, the language used at these meetings is sometimes very strong. It is sometimes very vigorous in denunciation of all the works and pomps of landlordism. It is quite possible to conceive that the Lord Lieutenant may consider such a series of

meetings as amounting to a dangerous association, and may bring them under the provisions of this Act, and may subject every man who took part in such meetings to arrest. The right of public meeting will, no doubt, be invaded in this way; and I therefore say that this Act, and this clause of the Act, and this line of the clause, strikes at the very root of our Constitutional liberties in Ireland. And when we come to consider that this Act is to be put into operation by men who, as has often been pointed out in this House, are almost always political partizans, I think it will be acknowledged that the matter is a very important one. I would point out that the line in the Bill which precedes this with which we are dealing refers to "encouraging or aiding persons to commit crimes." I think the insertion of that line in the Bill should have made it unnecessary to adopt in the measure these words "promoting or inciting to acts of violence or intimidation," which, as I say, are so elastic in their character as to render it almost impossible for a man engaged in Constitutional agitation in Ireland to turn on his heel without bringing himself under the provisions of the Bill. For these reasons I believe it is absolutely necessary, if the Act is to get fair play itself, and if the Irish people are to get fair play, and if the Government do not wish to have on their shoulders an additional amount of responsibility to that which they labour under at present, that they should accept the Amendment of my hon. Friend, which goes to qualify these words, and under which those who are brought before the Courts in Ireland for offending against the Acts of Parliament will have some chance of escaping from the punishment provided for them by the Government, when they had no guilty knowledge of the commission of crime and any desire to promote or incite unlawful acts of violence or intimidation.

MR. MOLLOY (King's Co., Birr): I notice that whenever it suits Her Majesty's Government to refer to former Acts of Parliament they are always very careful to do so, and that whenever it does not suit their purpose they refrain from that course. I would point out with regard to acts of violence, that every verdict of a Court of Justice is literally an act of violence, and might be taken cognizance of by the Lord Lieutenant, under the provisions of this clause unless the clause is amended as proposed by my hon. Friend. Any act of violence which is used, whether it be legal or illegal, lawful or unlawful violence, would come under the terms of this clause. The right hon. and learned Gentleman, and the Government generally, take up the attitude of saying that it is necessary to put a stop to crime and to criminal acts of violence, and so forth, and yet, when we come to the words "acts of violence," and we ask them to define what they mean by these words, and to say that they mean acts of violence which are unlawful, they decline to accede to our proposal. Now, let me refer to the Act of 1882, and remind the Committee of the definition of "unlawful association" in that Act. I will only read the last part of the definition—

> "For encouraging or aiding persons to commit crime, and the expression 'crime' for the purposes of this section means any offence against this Act, and any crime punishable on indictment by imprisonment with hard labour, or any greater punishment."

Now, why do not the Government, who are so fond of appealing to precedent in previous Acts, refer to this Act of 1882? Why are they not especially careful with this Jubilee Act? Why do they not use the expression contained in the Act of 1882? It appears that the precedent of the Act of 1882 is to be used only when it serves the purpose of the Government, and for no other purpose at all. Let us always understand what it is we are asking for, for, of course, the misinterpretation of an Act on this side is, according to the Government, of daily occurrence. The Government want to put down acts of violence. We agree with them as to the desirability of putting down acts of violence which are unlawful, but we ask them not to extend the provision to acts of violence which are lawful. We urge them to consider what acts of violence are lawful and what are unlawful, and we urge them to put a clear definition of them in the Bill. As usual, I suppose they will refuse to grant our very moderate request.

DR. COMMINS (Roscommon, S.): I should like to offer an observation on the question before the Committee from a legal point of view. If the object of the Government is to put down illegal acts of violence, I should like to know

what objection they can have to saying so. The law itself on this point is thoroughly understood in the Courts, is supported by 10,000 decisions, and, probably, by 100 Statutes. Every lawyer knows that it is perfectly justifiable to use violence under certain circumstances. It is admitted that it is justifiable to use violence for your own defence, even to the extent of slaying your aggressor who attacks you, and the measure of violence you may use in your own defence is only limited by the measure of violence brought to bear against you. The use of violence for a lawful purpose is recognized by the law of England to an extent to which there is no limit. As I say, the violence which may be used may go to the extent of the violence brought to bear against one; and what it is legal for one man to do it is legal for 100 men to do. For instance, it would be legal for the farmers of Kerry to enter into an association for resisting Moonlighting by violence. Moonlighting is a most atrocious offence, and farmers who fear being visited by Moonlighters would be perfectly justified in forming themselves into Vigilance Committees such as exist amongst the people of Texas and other parts of the United States. They would be justified in receiving these Moonlighters just as hotly as these Moonlighters might come—they would be justified in giving them just as much as they sent, and to use fire-arms against them, or anything they thought fit to use. An association of that kind, according to the law as it at present stands, would be a perfectly lawful association, which any farmer of Kerry would be justified in identifying himself with. But if this clause passes in its present form, everyone entering into an association of this kind will be liable to all the pains and penalties of this Act. A man entering into association with his fellows for doing that which the law does not do for him, and which the law hitherto has not done for him—what it was not able to do for the Curtins, for instance—would be subject to the pains and penalties of this Act. No one can deny that violence is not only justifiable, but necessary in some cases; and I maintain that the State should interfere with what ought to be unlawful violence—aggressive violence. What, then, I should like to know, is the objection of the Government to saying so? Do they wish covertly, secretly, and surreptitiously to get powers which they say they do not want—to get powers that even the Emperor of Russia would be ashamed to acknowledge the use of, indeed, would deny the use of? If they do not want dishonestly, secretly, and covertly to get powers that they are ashamed of, why do they not announce definitely what powers they are they desire to get? It is quite clear that in these matters they do not want to be subject to the law; and it is quite clear, from every line of the Bill, that what they want is to rid themselves of the restraints of the law. I would point out that though there is a Government in power at the present moment who may wish to rid themselves of the restraints of the law, and who may wish to have the power to inflict improper penalties, to punish people unjustly, and to get self-protection—I would point out that though we have such a Government in power now that not very far in the future we may have a Government animated by a very different spirit. We may have a Government in power within the time of some of us which will think, for instance, that the Orange Society is a society which, from the first inception of it—from the year 1795 to the present day—has been a Society which, through the whole of its career, has existed for the purpose of promoting and inciting to acts of violence and intimidation. Some future Government may possibly make use of this Coercion Bill for the purpose of suppressing this Orange Society. I will not say that the thing would not be justifiable and proper to do; but I would ask the Orangemen of to-day, who may wish to continue their society, whether this would not be a consummation highly objectionable to them—I would ask them whether they are not cutting a rod to beat themselves in voting for this without the modification we suggest? This clause, unless modified as we propose, will put in the hands of a future Government, not only the means of suppressing a society which all history and all experience of Irishmen says promotes and incites to acts of violence and intimidation, but of suppressing organizations which exist for perfectly lawful purposes. I ask the Orangemen to be wise in time, and to accept an

Amendment which will enable them to live as a lawful society under future Governments.

Question put.

The Committee *divided*:—Ayes 101; Noes 149: Majority 48.—(Div. List, No. 237.) [9.50 P.M.]

THE CHAIRMAN: The hon. Gentleman who announced the numbers gave the Ayes as 102.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. AKERS-DOUGLAS) (Kent, St. Augustine's): I should have said 101, Sir.

MR. MAURICE HEALY (Cork): If this clause is passed, Sir, without some attempt to define this vague provision, we shall find that most unpleasant consequences will ensue. The portion of the clause we are considering states that if the Lord Lieutenant considers that an association promotes or incites to acts of violence or intimidation he may suppress that association. What, Sir, would not be possible under that provision? It has been held in the past that any body of people who assist evicted tenants while they are evicted from their farms, and who maintain them while there is any hope of their getting back to their farms, are guilty of intimidation. I can give an instance of this which occurred in the County Limerick. There was there a well-known estate, called the Cloncurry Estate, and in 1881 the landlord got into conflict with his tenants, with the result that he evicted a large number of them. An association then existing—namely, the Land League—thought the action of the landlord of an exceedingly harsh character, and it accordingly proceeded to give aid and assistance to those tenants; and one of the measures which the Land League adopted in giving aid and assistance to those tenants was to build huts which were called Land League huts—that is to say, temporary dwellings for the purpose of housing the people while they were out of their homes. Well, what did the Executive do? Mr. Clifford Lloyd actually arrested the carpenters engaged in the erection of the huts, and, in some roundabout way, said that they were guilty of intimidation, and took them before the magistrates in the County of Limerick, and got them bound over to keep the peace. The effect of that is this, that it has been decided that any association which in any way attempts to assist the evicted tenants is practically an association promoting intimidation as defined to include any act intended and calculated to put any person in fear of any injury to his life or his means of living. Now, of course, the means of living of the landlord is the rent he gets from his tenants; and to assist an evicted tenant is, indirectly perhaps, to prevent the tenant from coming to terms with his landlord, consequently assisting an evicted tenant is putting the landlord in fear of injury to his means of living, and an association, according to this sub-clause, that assists a tenant is, therefore, promoting and inciting to acts of intimidation. Now, Sir, I think that anyone who takes the Bill, and examines it fairly and candidly, will see that that is not a strong or violent interpretation to put upon the clause as it stands. In addition to that, I rely not merely on the legal meaning of the words, but on the past experience of the particular case I have cited; and, that being so, I do maintain that unless the Committee undertake to define this vague term "intimidation" in some way there will be a grave danger to public liberty in Ireland. I beg leave to move the Amendment which stands in my name—namely, to leave out the words "or intimidation."

Amendment proposed, in page 5, line 7, to leave out "or intimidation."—(*Mr. Maurice Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): The Committee will bear in mind that in the 2nd clause of the Bill we have provided that persons committing offences under this measure shall be summarily punished. Now, it would seem to follow, or at least I would submit that it should follow, that if an association is formed for the purpose of encouragement, or promotion, or incitement to intimidation, that association should be placed in the category of a dangerous association, and ought properly to be regarded as such, and the consequences which are contained in subsequent clauses ought naturally to follow. Now, the clause we are debating, it appears to me, is an *à fortiori*

consequence of the 2nd clause. In the present instance, however, it is not the case of a particular individual doing a particular act; but it is the case of a number of persons banding themselves together for the purpose of carrying out a system of promoting or inciting to acts of violence or intimidation generally. Can anyone say, with fairness, that an association, in the general sense of the word, which has for its object the promotion of intimidation, should not come within the terms of this clause? The hon. Gentleman opposite says there is a definition or description in the Bill. If the hon. Gentleman likes the word "description" better, I would give him an idea of what it is intended to include. I would say that the clause would affect associations formed for promoting or instituting acts which are dangerous to persons or property. Such associations would, beyond all doubt, be a dangerous association. If the machinery we provide in this Act for the purpose of punishing persons who belong to associations of that character is accepted, there can be no dispute that associations formed for the purpose of intimidation ought to come under it.

MR. MAURICE HEALY: Because there has been something bad in a former part of the Bill, that is no reason why you should do something bad in the present clause. I refuse to accept the argument that because Section 2 contains a certain provision dealing with an individual, that, therefore, we should adopt a similar provision, although a bad one, affecting an association of individuals in the same manner. I would invite the right hon. and learned Gentleman to answer the argument I address to the Committee. I asked him to define the word "intimidation," and to tell me what the Government means by it. I adverted to a particular case of what had been held to be intimidation in 1881 by certain magistrates, and I asked the right hon. and learned Gentleman whether that was a class of offence that the Government intended to look upon as intimidation in the year 1887? I think the right hon. and learned Gentleman ought to address himself to that argument. I ask any Member of the Committee to turn to what the right hon. and learned Gentleman says is the definition of intimidation, and I ask them to examine and expose the argument addressed to us from the other side of the House. There is no definition of intimidation in this Bill. The meaning of the word intimidation is extended in the Bill; but there is no attempt to define it. Take the word "county" in the Interpretation Clause. We have it set forth that the word county shall include the county of a city. But is that the definition of the word county? Certainly not. It is an extension of the meaning of the word county, but not the definition. Similarly as to the words used here. To tell us that intimidation will include a certain class of acts is not to define intimidation, but to extend the meaning of the word. I do ask the right hon. and learned Gentleman to apply himself to this argument, and to try and meet it some way or other. The right hon. and learned Gentleman says that if it is a proper thing to punish one individual for being guilty of intimidation, it is a proper thing to punish an association that is banded together for the purpose of promoting intimidation. I answer that argument by saying that everything depends upon what you call intimidation; and I say that until you have settled that fundamental question you are really only quibbling as to words, and are not attempting to argue the matter. No doubt, if we had any certainty that the Courts of Law in Ireland would regard the word intimidation according to its natural meaning, and would place upon it the meaning that every Member sitting in any part of the House would place upon it—namely, threats, or violence, or improper pressure—no doubt we should have some satisfaction that this Bill was going to be administered in a proper manner. But the danger is that that is not the way the word intimidation will be construed. That is not the way it has been construed in the past, and we know perfectly well that it is not the way it will be construed in the future. We know that instead of bearing the natural meaning the word intimidation will have attached to it an altogether artificial meaning. We know perfectly well that the Government will use the word for the purpose of making illegal a large number of acts that no one who is uneducated in the ways of Dublin Castle would regard as illegal or objectionable from any point of view whatever. I do not intend, in these remarks, to allude to

anything like exclusive dealing or Boycotting. I do not allude to anything so definite as that; but I allude to a particular class of case—namely, the case in which individuals in Ireland band together as an association, or, at any rate, take it upon themselves to give assistance to evicted tenants; and I say I shall be able to prove, by our experience of what has occurred in the past, that the Executive in Ireland desire to take power to put a stop to acts of a praiseworthy character, and acts of a benevolent and philanthropic character. They wish to render those acts capable of being punished as a species of intimidation. Those are really the acts against which the Executive in Ireland is aiming when they use the word intimidation as it is used in this Bill.

DR. TANNER (Cork Co., Mid): I really think that the right hon. and learned Gentleman the Attorney General for Ireland ought to have paid some attention to the arguments which fell from the hon. Member for Cork (Mr. Maurice Healy). But, as usual, we are met with the same stolid indifference, the same stupid incapacity, which invariably characterizes the Members who have this Bill in their charge. Now, Sir, what do they mean by this word "intimidation?" Again and again has the right hon. and learned Gentleman been asked to define it? Again and again, either through his want of knowledge, or his indifference, or his incapacity, I do not care what, he has stuck to his seat and refuses to get up. But I sincerely hope that other hon. Members—even hon. Members sitting on the other side of the House—will take these words to heart, will ponder over them, and try and understand them—and understand them thoroughly. What do the Government mean by this word intimidation? Is it intended to apply to Boycotting? Well, if it applies to Boycotting, will it apply to every class, and every section, and every clique in Ireland? Perhaps the right hon. and learned Gentleman does not know that I was Boycotted, and that the Lord Lieutenant of the County of Cork assisted in and prompted my Boycotting. I never mentioned the fact in this House before; but such is the case. The right hon. and learned Gentleman opposite may smile and smile, but still he knows it. Lord Bandon, Lord Lieutenant of the County of Cork, went about with other members of a certain class seeking in Cork City and in Cork County to ruin me professionally. I know perfectly well that the intimidation specified in this clause will not touch such a case as that. I know that it will not apply to a case like that of the Rev. Mr. Armstrong, or to a case like that of the Rev. Mr. Macaulay, in the North of Ireland. The right hon. Gentleman the Chief Secretary for Ireland sneers, as usual—sneers, with his legs on the Table. He told me, some time ago, there was no such thing as a Protestant Home Ruler in Ireland, or outside this House. Well, of course, the right hon. Gentleman knows very little about Ireland. He knows as little about that country as he does about poling a goat, and, goodness knows, he cannot know very much about that. In both cases he gets stuck in the mud. At any rate, I sincerely hope that before the right hon. Gentleman commits himself to such a statement as that he has made on the matter he will obtain some information on the subject. I say that if the Members of the Treasury Bench—that if right hon. Gentlemen whose business it is to understand the terms which they set before us on the face of this Bill neglected to give us the information that we ask and demand from them, I leave it, at any rate, to the common good sense of other hon. Members—I do not care on which side they sit—to ask, and to obtain, what we ask and ask for in vain—namely, an explanation. I sincerely hope that to-day the Government will address themselves to the subject, and that hon. Members opposite, by making an effort, will obtain what has been denied to us—namely, the proper definition of the word "intimidation." Let it be clearly shown, and clearly proved, that this provision will be applied squarely and fairly, and equally all round to every class of people, and to every class of case in Ireland. If Boycotting is to be made a criminal act in connection with those words in the section, and under cover of those words those who protect it are to be punished, let the same principle apply to the governing clauses which protect Boycotting, notwithstanding the fact that it is for their benefit that this Bill has been introduced, notwithstanding

the fact that this Bill has been brought forward in order to promote the extortion of what has hitherto been promoted by the landocracy in Ireland against a poor struggling peasantry—the mass of the people. If this Act is to be applied to all, at any rate let hon. Members opposite see that it is applied fairly, and that if there is any criminal Boycotting organization, or any Boycotting on the part of the landlords, the Act shall be put into force against them, and that it shall not be merely used to put into Coventry a section of the population. Let the Bill be put into operation against those individuals who have always exhibited the greatest apathy—to give it the mildest term—in regard to the interests of the Irish nation, and who have taken up an attitude of hostility to every Irish aspiration. Let the Committee take care to see that the Act is put in force against them as well as against the poorer people of the country I have the honour to belong to.

MR. O'DOHERTY (Donegal, N.) The hon. Gentleman who moved this Amendment did so as a protest against what is put forward as a definition of the word intimidation at the end of the Bill. He illustrated, in his own way, the effects which such a definition—or so-called definition—would have, being merely an extension of the term. I will take the matter in another way. In dealing with this section I do not think it is necessary to say a word as to the slow progress we have made with the two or three lines of the clause which we have taken up to this time. The Committee will observe that where the clause dealt with crime we put no Amendments down, and did not discuss the matter, but that the moment the words began to travel beyond crime, and touched upon what is combination, our Amendments began; and I would call the attention of the Committee to this—that all through this Bill, and evidently with intention, words have been put in, which those who inserted them must have known could be interpreted by those who will have to administer this Act in a sense utterly different from that which the House of Commons has adopted in debate. The right hon. and learned Gentleman the Attorney General for Ireland, in pointing out the absurdity of the Amendment, said that in a previous clause of this Bill we have stated that any person who intimidates or uses an act of intimidation is guilty of a crime. He says that we have provided that in the 2nd clause. He says that surely the combination of persons to do the same thing will be equally illegal, and should be equally punished. His argument is, that that which is a crime in an individual should be a crime in an association, or in a number of individuals. Of course it is; but what is the fact? The associations who will be affected by this Amendment will not be associations or combinations to aid acts of violence; it will not be combinations to work by acts of violence; but associations who, in the opinion of the Lord Lieutenant of Ireland, have a tendency to work in the way of intimidation. Surely, unless you take the governing words of the beginning of the 6th clause, and remembered that it qualifies everything that comes afterwards, such speeches as that of the right hon. and learned Gentleman might well have the effect of misleading us to what is the meaning or intention of the Amendment which has been moved. We have no objection to the words covering the whole argument of the right hon. and learned Gentleman. We have no objection to say that any association that uses violence and intimidation shall come under this section. If we have an Amendment to this effect we will not ask for any other. But what we wish to avoid is to give the Lord Lieutenant the power of proclaiming associations which are not *bonâ fide* unlawful associations, but which the Lord Lieutenant may think have a tendency that way. In the sub-section preceding that which we are discussing we have the words "encouraging or aiding persons to commit crime." There incitement to commit crime is provided for. We have now provided for the proclamation of associations promoting or inciting to acts of violence. And now, seemingly, it is meant to provide for associations who may be legal enough in themselves, through the great numbers who may belong to them, who may seem to the Lord Lieutenant as having a tendency towards intimidation, and who may have great influence with the public opinion. We must remember that all that is necessary in order to proclaim an association is, that the Lord Lieutenant should be justified that it as-

sumes such a tendency as I describe, and then he will issue his Proclamation, and that will be immediately followed by bludgeons. There seems to be a want of definiteness even in the views of those who are promoting this clause in its present form.

MR. JOHN O'CONNOR (Tipperary, S.): I have read carefully the definition in the 19th clause of the word "intimidation," and I am not at all surprised my hon. Friend proposed that the word "intimidation" should be omitted. I shall not detain the Committee long; but, however short, it will be for the purpose of showing how this word has been made an all-comprehensive word in the administration of former Acts of this kind. My hon. Friend the Member for Cork (Mr. Maurice Healy) alluded to the case of the Lord Cloncurry tenantry, and he will forgive me if I enlarge upon that and extend it still further. What occurred there? Not only was the carpenter who was engaged in the erection of these huts prosecuted, but Mr. Clifford Lloyd, whose name has been often heard in this House, actually stated that the erection of these huts to shelter the evicted tenants would be an act of intimidation. Mr. Clifford Lloyd sequestered the huts, put a guard over them, and would not allow them to be used by the tenants who were left out shivering in the cold by the roadside. At that time an extraordinary deed was done—I will not refer to it further—and the Lord Lieutenant of Ireland at once decided that the huts might be erected, and Mr. Clifford Lloyd was told to stand by and take his hands off the huts. A similar thing to that might occur in the future, and the interpretation of the word "intimidation" being comprehensive in the minds of the Resident Magistrates of Ireland, I have no doubt these Resident Magistrates under a Tory Administration would back up all the Clifford Lloyds in Ireland, and would emulate the conduct of the past one, and seek to put down the erection of huts for the sheltering of evicted tenantry by interpreting the erection of such huts as an act of intimidation. But we can carry the argument still further; other acts were done in Ireland in the past which fully illustrate what is likely to occur in the future. I wish to know from the Attorney General for Ireland, or from some other Member of the Government, whether such an association as the Ladies' Land League of the past would be considered as a society engaged in acts of intimidation, if they bring the evicted tenants that sustenance and aid they stand in need of? In the past we know that several ladies were arrested on the ground of intimidation for having brought aid and assistance to evicted tenants. I know one case of hardship in particular, a case in which a young lady, who had been tenderly brought up, was arrested in the town of Tulla, in Clare, because she had brought aid and assistance to evicted tenants. She was placed under arrest by Mr. Clifford Lloyd; she was brought before Mr. Clifford Lloyd, and she was sentenced in a quarter of an hour to three months' imprisonment. She was taken away in the dead of the night, and under an escort of two or three policemen this tenderly brought up young lady was carried 14 or 15 miles until she was landed in Limerick Prison. Now, will the giving of assistance to evicted tenants be considered an act of intimidation under the provisions of this Bill? I rather think it will. Mr. Clifford Lloyd was not reprimanded for what he did. The case of the lady I have mentioned was brought before this House. It was argued at considerable length, but there was no remission of her punishment. She was kept in gaol for three months for an act of intimidation which would be considered in any civilized land as an act of charity and benevolence. Will such associations as the Ladies' Land League, which may spring into existence again, and which I think will spring into existence again, be considered as societies engaged in acts of intimidation? Will ladies, like the one I have referred to, be put for three or six months in prison, as is provided by this Bill, for engaging in acts of charity. If that be so, and we have every reason to think it will be, we are entitled to ask strenuously from the Government a definition of the word "intimidation"—to demand a definition before we allow this clause to go to a Division. I am rather surprised that the Government should consider this matter as lightly as they seem to do. I am, also, rather surprised that hon. Members on this side of the House above the Gangway, who have legal minds, and who have a knowledge of

the mal-administration of Crimes Acts in the past, do not make their voices heard upon this clause with regard to the interpretation to be put upon the elastic and comprehensive term "intimidation." We cannot talk about these things from a legal point of view; but there is no man knows better where the shoe pinches than the man who has worn it. We who have lived under coercion for many years know where it is that the shoe will pinch. We know where every word and line of this Bill will be felt; we know how people will be made to wince and suffer under this Act; and, therefore, we must raise our voices here, though they are weak, though they are poor, against the maintenance of such a word as will allow acts of tyranny such as those I have described to be committed in the name of law and order. In the course of this evening's discussion the right hon. and learned Gentleman the Attorney General for Ireland spoke about the desirability of retaining responsibility himself. He has said it will be an advantage to this House, and an advantage to Members of this House, to appeal to the Government in respect to the good or the bad administration of the Act. I assure him that if this word is included, and if it is interpreted as I know it will be by the tyrannical Resident Magistrates of Ireland, he will have enough responsibility upon his shoulders, and he will have many explanations to make to Members of this House sitting on the Irish Benches. I know how the word "intimidation" will be interpreted by these men, and the Attorney General for Ireland, and the Chief Secretary for Ireland, or his amanuensis, the Under Secretary, the landlord Parliamentary Under Secretary, will have just as much as ever they can do to carry all the responsibility they will have, and to answer all the Questions that will be put to them in regard to the mal-administration of this Act. Under these circumstances, Mr. Courtney, I feel constrained to demand from the Government a further and clearer definition of the word "intimidation" than is to be found in the 19th Clause. If they do not give a clearer definition it will be the worse for themselves; if they do not it will be the worse for the administration of the Act itself, because the Act will be administered in such a tyrannical fashion as to drive all respect for it out of the minds of the people, and compel them to present to the operation of the Act a bold front, and to defeat it in every way they possibly can.

Question put.

The Committee *divided:*—Ayes 190; Noes 147: Majority 43.—(Div. List, No. 238.) [10.40. P.M.]

DR. COMMINS (Roscommon, S.): The Amendment I have the honour to move is to omit Sub-section E of Clause 6. Now Sub-section E contains a whole code of coercion. Coercion is bad enough if we know what it means, if we know to what limits it is confined, and under what regulations it is restrained; but this special section vests most absolute and unrestrained power of coercion in the Lord Lieutenant of Ireland. The Lord Lieutenant of Ireland is to have the power to declare acts illegal. His power in this direction will be as absolute as ever was the power of any Sovereign of the Roman Empire. The Lord Lieutenant's arbitrary will is to stand in the place not only of law but of reason. Now, I should like to know what it is that the Lord Lieutenant may think will be "interfering with the administration of the law or disturbing the maintenance of law and order." We know that what one man may deem legal another man may regard as tending to interfere with the rights of others or with the administration of justice or law. We know what has happened in times past. The Lord Lieutenant has proclaimed districts in Ireland because he has received reports from police magistrates or from police inspectors, affirming that the districts have fallen into a criminal state. We know that the Lord Lieutenant has proclaimed districts because a police inspector or a Resident Magistrate said "such-and-such society is interfering with me in the discharge of my duties;" and we know that upon a report of this sort, which may have been made out of spite or malevolence, the Lord Lieutenant has been induced in the past, and will be again induced in the future, to proclaim associations. We know what the consequence of these Proclamations will be—it will be that every person belonging to the associations proclaimed will become at once a criminal, and liable, under the provisions of this Act, to six

months' imprisonment with hard labour. In the face of the unrestrained, unlimited, and arbitrary power of giving six months' imprisonment under this Bill, I should like some definition of what it is the Government consider will be interfering with the administration of the law. The matter may be practically incapable of definition, but whether it is or not the Government have not made the slightest attempt to define it. The definition of the clause is really a most amusing one. There is no attempt to define what is "interfering with the administration of the law," or of what they consider to be "disturbing the maintenance of law and order;" but we have, in the 19th clause, sham definitions—definitions intended to deceive people, and to make belief there is some intention of a legal or scientific construction of the Bill. We are gravely told what an "Assize Court" is; we are told what the "Whiteboy Acts" are—we only know too well what they are. We are told that an "aggravated crime of violence against the person" means an assault which causes actual bodily harm or grievous bodily harm, or is committed with an intention of causing grievous bodily harm—a definition which rests upon a thousand decisions laid down in the whole course of justice. We are told what a "Writ of Assize" is; then we are told what the "Attorney General" is. As a matter of fact, we know only too well what the "Attorney General" is. After having told us these things I wonder they did not tell us what an Assize town was, and what St. George's Channel is. We are told what the Lord Lieutenant is. Well, we know to our great cost what the Lord Lieutenant is. These things need no definition at all, but the Government do not pretend to give definitions of things which require definitions if this Act is to mean anything at all. Why do they not attempt to tell us by some definition what it is that is to be considered as "interfering with the administration of the law and disturbing the maintenance of law and order?" Under this sub-section a person may be sent to gaol for six months, but there is no effort made to show the people what the sub-section really means.

THE CHAIRMAN: The hon. Gentleman is considering both branches of this Sub-section (e). Doubtless, in pursuance of his own Amendment, he is entitled to do so; but the hon. Member for the City of Cork has an Amendment down to omit the second part of the sub-section, and if he claims to submit his Amendment it would be impossible for the hon. Gentleman to deal with both parts of the sub-section.

DR. COMMINS: The hon. Member for Cork (Mr. M. Healy) has intimated that he does not intend to go on with his Amendment. Now we have here an arbitrary and indefinite description of something which any magistrate may make use of to sentence an individual to six months' imprisonment. I was illustrating the operation of this sort of arbitrary power by what took place in Ireland a few months ago when a man committed some breach of the peace in the street. I assume that the man committed some breach of the peace, for a policeman arrested him. He resisted the arrest, and then four other constables assisted their comrade in taking the man to the local bridewell. In England this man would have been indicted at the very worst for resisting the police in the discharge of their duty, or for assault, and he would have received six months' imprisonment; but what did the Irish magistrates do? Why, they have five separate prosecutions against the man. They prosecuted him, or allowed him to be prosecuted, for resisting each of the policemen, and for a blow or a push to each policeman, and for each of the five cases the man is found guilty, and receives in all 29 months' imprisonment, the extreme amount of punishment he could receive, with the exception of one month for every one of these offences. Now, in England, as we understand offences of that nature, a continuous act such as occurred in the case of those five constables is regarded as one offence and punished as such. The matter is looked on very differently in Ireland, as the result in this case proves; for the individual to whom I refer is now undergoing 29 months' imprisonment for the five offences committed at one time. The utmost imprisonment which would have been meted out for such an offence in England would have been six months. In the case of this man, you have as indefinite a laying down of the law as you have here in this clause, by which the Lord Lieutenant can proclaim any association he thinks fit. An association

means a meeting, and the magistrates administering the law in the spirit I have described, could condemn every single individual as belonging to an unlawful association for attending a meeting. There are no rules laid down for the guidance of those who have to administer it. The Act is left to the arbitrary administration of the officials named in it, and I can well imagine that if there were 100 policemen sent to suppress a meeting, and a man rushed amongst them and flung his arms around, he might be subjected to 100 prosecutions for assault, and sentenced to the full term of imprisonment in the case of each policeman. That is an extreme case, no doubt; but I maintain that the way to test the character of such provisions as this is by putting extreme cases. It must be remembered that the magistrates are persons without judicial minds and without judicial training in Ireland. There is nothing in the clause to guide the magistrates or the police as to what is meant by "disturbing the maintenance of law and order." We know that with regard to two little boys who were sent to prison for whistling "Harvey Duff" in the streets. I do not know the least in the world what "Harvey Duff" is, but I am told that it is a tune that is played in a farce, and that the police take great offence at it, because originally it was something against policemen. But I know that throughout Ireland, from Waterford to Derry, little boys were sent to prison for whistling "Harvey Duff," the offence having been described as disturbing the maintenance of law and order. Disturbing the maintenance of law and order is, I suppose, understood to mean disturbing the equanimity of policemen — whistling some tune or singing some song like "the Peeler and the Goat." I believe under this sub-section, if it is passed into law, you will have the law made ridiculous as well as tyrannical by such exercise of the power conferred on the Lord Lieutenant and on the magistrates, as we have seen already. So far, we have had no kind of justification offered in law for the clause the Government demands. If the section passes into law, however illegal or unjustifiable the sending of little boys to prison for whistling "Harvey Duff" may be, it will be rendered possible and excusable under this clause. I oppose the section because it introduces arbitrary powers—because it gives powers to the Lord Lieutenant and to the police which are totally undefined, and which are sure to be exercised in a tyrannical and unconstitutional manner, and in a manner which is sure to create and perpetuate discontent in Ireland instead of maintaining law and order, and to create hatred of the legal institutions of the land.

Amendment proposed, in page 5, line 8, to leave out Sub-section E.—(*Dr. Commins.*)

Question proposed, "That Sub-section E stand part of the Clause."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I am afraid I have not sufficient acquaintance with the popular song to which the hon. Gentleman refers to say whether or not the singing of "the Peeler and the Goat" would come under this section. But certainly I am not able to accede to the view of the hon. Gentleman that this sub-section should not stand part of the Bill. It is perfectly well known that there are distinctions in Common Law between associations which are formed for the amendment of the law and associations which are formed for the purpose of interfering with the maintenance of the law. It is of the highest importance that so long as the law of the land stands it should be administered by the proper authorities. Associations formed for interfering with the administration of the law are associations with which, in all probability, it may be desirable that the authorities should have power to deal, and that observation applies even more strongly to associations for disturbing the maintenance of law and order. I am well aware that our views are not entertained or shared by hon. Gentlemen below the Gangway opppsite; but in the exercise of our duty we consider that associations formed for the purpose of interfering with the administration of the law as it stands, or of disturbing the maintenance of law and order, are associations which, of all others, ought to be under the supervision of the Lord Lieutenant in the exercise of the powers of this Bill. For that reason it is not possible for us to accept the Amendment of the hon. Member.

SIR WILLIAM HARCOURT (Derby): I think the explanation of the right hon. and learned Gentleman of this very vague sub-section is extremely bare and insufficient. Let us remember what this clause is. It is not a clause that is to be interpreted by a Court of Law. It is a clause under which the Lord Lieutenant will be, himself, finally and absolutely the judge. The Lord Lieutenant will say—"I believe such and such an association to be a dangerous association, because it comes within one of these definitions, and that one of these definitions is "interfering with the administration of the law." I should like to know how the Lord Lieutenant will be advised in this matter. We know that his principal Adviser will be the Lord Chancellor of Ireland. Now, the Lord Chancellor of Ireland, the other day, was discreet enough to place himself in opposition to the great majority of the Court of Appeal, who declared that he was absolutely wrong in regard to the unlawful imprisonment of the priest, Father Keller. That matter came up on appeal, and the Lord Chancellor of Ireland found himself in a minority of one; all the rest of the Judges in the Court of Appeal pronouncing him to be wrong in the matter of law. Now, he is one of those by whom the Lord Lieutenant is going to be advised in these matters. There will be no Court of Appeal, but the determination of the Lord Lieutenant will be absolute — absolute so far as legal tribunals are concerned. Now, if this clause stands as it is, the associations to which it points will be liable to the penal consequences contained in Clause 7—that is to say, a Court of Law will be obliged to send all people contravening the 6th section to prison, there being no question left to the Court at all, except the declaration of the Lord Lieutenant that the people belonged to a dangerous association. On that mere declaration of the Lord Lieutenant, the whole of the penal enactment in Clause 7 will follow. I challenge the right hon. and learned Gentleman the Attorney General for Ireland to produce a precedent for such a proceeding as that. There is nothing like it in the Act of 1882. By that Act the question whether an association was unlawful was a question for judicial decision. A prisoner accused of belonging to an unlawful association was entitled to ask for a judicial decision, and it was for a Court of Law to determine whether or not the association to which he belonged was unlawful. The prisoner had the right to ask for a decision in the light of day on arguments put before the Court, so that everyone could know the grounds upon which the decision was given. In the present case, however, there is to be a sort of secret decision, no one knowing the grounds for it, and there being no statement whatever in Court as to the reasons which have guided the Lord Lieutenant. And under these circumstances, as I have pointed out, the Lord Lieutenant is to be under the guidance of the principal lawyer in Ireland, the Lord Chancellor—a legal official who has lately given a decision, in the opinion of the majority of the Judges, inconsistent with the law. Now that is the project under this Bill. Now, I maintain that these words, "interfering with the administration of the law," are about as vague and dangerous in regard to what I may call constructive crime as ever appeared on any Statute Book. There is no association, in my view, which may not be struck at if such a general expression is made law. I will give the right hon. and learned Gentleman an instance, and I should like to know his view with regard to it. There exists in this country an association—one which I myself do not approve of at all—known as the Anti-Vaccination Association. Well, the Anti-Vaccination Association may unquestionably be held to be an association for interfering with the administration of the law. The law requires every child to be vaccinated. I think it is a very good thing to ask that every child should be vaccinated; but there are thousands of people in this country who hold a different opinion, and have banded themselves into associations against the system of vaccination. I should like to ask the right hon. and learned Gentleman to state whether, in his opinion, that is an association "interfering with the administration of the law?" If so, I would ask him a further question, and that is, whether he is prepared to say that upon the *ipse dixit* of an Executive Officer—say, the Home Secretary, or anyone else declaring such an association to be unlawful without reference to a Court of Law

at all, persons belonging to that association should be sent to prison? I beg the Committee to observe—and this matter is an important one, and one which, I trust, the Committee will thoroughly discuss—that in no Coercion Bill that has ever been passed that I know of has power been taken to send a man to prison without a chance being given to him of stating his case in public. This is a new transaction altogether. I invite the right hon. and learned Gentleman the Attorney General for Ireland to tell the Committee what are the precedents on which he relies in this matter, and whether the Government are prepared to explain to the House and to the country what will occur, and what will not occur, if these vague words, "interfering with the administration of the law," are retained in the clause? I have given one example, and I could give a dozen; and I have no doubt that in the minds of hon. Members in the Committee other instances will occur which have not presented themselves to my mind. There are even phases of the temperance question which might come under the clause. I am not sure that you could not touch the members of the Salvation Army, and send them all to prison. To put on the Statute Book a provision so wide and dangerous, which is not guarded by any judicial sanction, which is left absolutely at the discretion of an Executive authority, is to do a thing which we on this side of the House, at any rate, are bound to protest against and resist.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I am rather surprised that the right hon. Gentleman who has just sat down should have waited until 20 minutes past 11 o'clock, until we have come to an Amendment rather low down on the Paper, in order to join in the discussion of questions of principle which have been before the Committee the whole evening. But, Sir, that is not the point before us to which I would more particularly advert. There is one thing I deeply regret in the speech of the right hon. Gentleman who has just sat down. In his speech on the general principle of this clause, and in supporting a particular Amendment to it, he has expressed great objection to the powers which it is proposed to confer on the Lord Lieutenant, for the reason that the Viceroy's Chief Adviser is the Lord Chancellor of Ireland. Now that statement is erroneous. The Lord Chancellor is not, and, so far as I know, never has been, the Adviser of the Irish Government in large matters of policy. The grounds on which the right hon. Gentleman has based his attack upon the present Lord Chancellor of Ireland appear to me to be deserving of the very severest comment. What is it that the right hon. Gentleman has done? He has spoken of a judicial decision given by the Lord Chancellor of Ireland in a Court of Law. The words he used were—"The Lord Chancellor of Ireland has been discreet enough" to give such a decision. The Lord Chancellor of Ireland was bound to give a decision on a point of law according to his judgment. The point on which he gave his decision was a point of law, and not a question of policy, and it must be remembered that on that technical point of law on which he gave his decision he had in his favour four Judges of the High Court of Ireland. And yet, absolutely, the late Home Secretary comes down to this House and declares that a judicial decision given on a technical point of law, in which four other Judges agreed with the Lord Chancellor, is a ground for saying that the Irish Lord Chancellor is not a proper Adviser for the Lord Lieutenant. A more extraordinary argument was never advanced in this House—was certainly never advanced by anyone who has held high office in this country. Then the right hon. Gentleman went on to say that the Government were handing over powers to the Lord Lieutenant which he would exercise in a perfectly irresponsible manner, without control and without supervision. I cannot, Sir, believe that the right hon. Gentleman has read the clause. We are perfectly aware that this clause is of an exceptional nature. We do not conceal that from the Committee—we have never attempted to conceal it. I stated it in a speech in which I introduced the Bill. I have never attempted to minimize the fact. We based this clause not on precedent, but on the necessities of the case, and we have attempted to give to the operation of the section the only limitation that we think it is susceptible of—namely, the limitation to be obtained

from the close supervision of Parliament. It is on this part of the clause which requires Parliamentary sanction for the issue of those Proclamations that we rely for preventing any such misuse of the section as that the right hon. Gentleman has referred to. We are handing over to the Lord Lieutenant, acting in concert with the Irish Government, responsible powers, if he likes to use them. I wish hon. and right hon. Gentlemen, in discussing this matter, would look at it from a practical point of view. Is it probable that any Lord Lieutenant, acting in concert with the Government of which he is a Member, necessarily under the supervision of the Imperial Parliament, will do anything which in the opinion of the House of Commons he ought not to do? [Several Irish MEMBERS: Yes; and a VOICE: Have you not a majority?] I heard someone say we have a majority in his favour.

MR. CLANCY: Yes; to support him in everything he does.

MR. A. J. BALFOUR: That is precisely my point. The Lord Lieutenant will not do anything under this clause on which he does not think he will have the sanction of the majority of the Representatives of this House, and in which he will not have the sanction of the majority of the British people. [*Ironical cheers.*] I heard a cheer from two right hon. Gentlemen opposite. They appear to think that the sanction of the majority of this House and of the British people——

MR. T. M. HEALY: What about the Irish people? [An Irish MEMBER: They do not count.]

MR. A. J. BALFOUR: Right hon. Gentlemen seem to think that the sanction of the British people is so contemptible and so insignificant a matter that it is hardly worth considering; that it is no limitation on the powers of the Lord Lieutenant; that it should be ignored; and that it is worthy of being sneered at in this House. Well, that may be the view of hon. Gentlemen below the Gangway; it is the view of the right hon. Gentleman opposite (Sir William Harcourt); but it is not the view of Her Majesty's Government. We consider that the limitations and the safeguards which we have put into this clause —namely, the sanction of the Imperial Government—are the only kinds of safeguards of which the clause is susceptible. We think that they will be adequate, and, that being so, we cannot accept the argument of the right hon. Gentleman in support of the Amendment, for which I believe he intends to vote, and we cannot accept the Amendment itself.

MR. JOHN MORLEY (Newcastle-upon-Tyne): The right hon. Gentleman began by wondering that anyone who had held the Office of Home Secretary which was held by my right hon. Friend the Member for Derby (Sir William Harcourt) should lay down the doctrine which my right hon. Friend advocated. I never expect to be more surprised than I have been to-night to hear a right hon. Gentleman, holding the Office of Chief Secretary for Ireland, express such views as those the right hon. Gentleman opposite has expressed. First of all, as to a matter of fact. The right hon. Gentleman has taken a view of the position of the Lord Chancellor of Ireland in reference to the Executive Government of Ireland, which I, with not very much greater experience than the right hon. Gentleman himself, find most amazing and most incredible. Why, Sir, it is perfectly notorious that during the whole of the administration of Lord Spencer, Sir Edward Sullivan, the admirable Lord Chancellor of that day, was constantly the Law Adviser of the Government, even as to Executive acts.

MR. A. J. BALFOUR: More than Sir George Trevelyan?

MR. JOHN MORLEY: A great deal more.

MR. T. M. HEALY: Yes; he hanged Myles Joyce.

MR. JOHN MORLEY: Surely the right hon. Gentleman does not mean to say that Lord Spencer asked Sir George Trevelyan his opinion on legal points. The points which will arise under this clause will be legal points. They will be points affecting the administration of the law; they will undoubtedly be legal points, and they will be points upon which the Lord Chancellor of Ireland will very naturally be consulted. But there is another matter which the right hon. Gentleman has entirely overlooked, and it is this—that in the case of the Lord Lieutenant being disabled, or coming over for a time to this country, the First Executive Officer will be the

Lord Chancellor of Ireland. [Mr. CLANCY: Coming over to Ascot!] The Lord Chancellor is *ex officio* the Chief Executive Officer. So much, then, for the right hon. Gentleman's view upon practical administration in Ireland. He has gone upon much more important and much more dangerous ground in the general view he has expressed as to what the work is that we are now about. We are now framing a provision of a Criminal Statute which may affect the most intimate affairs in the life of every citizen in Ireland. Now, what is the right hon. Gentleman's view? It is this—and I do not suppose a more extraordinary argument, as to a Criminal Statute, was ever adduced before—it is this, that those words in the sub-section are unobjectionable, because in their administration the responsible Executive Officer will know that he will be responsible to a majority of the House of Commons. That is to say, that we are not to consider what will be the effect of this sub-section or any part of this Bill as a great legal instrument; but we are to consider whether a fleeting majority, a temporary passing majority in the House of Commons, would or would not approve of this or that method, or its application and administration. That doctrine is quite in its right place when it comes from the lips of the right hon. Gentleman, because it is a true Tory doctrine. We on this side of the House, at all events, will do all we can to protest against any such view in its general statement, and to protest in the Lobby by our vote against a record of such a view in a Statute passed by this House. The hon. and learned Attorney General said it was very hard to distinguish between agitation directed to an amendment of the law and agitation interfering with the administration of the law.

SIR RICHARD WEBSTER: I never said it was hard to make such a distinction. I said associations promoted to amend the law were entirely different from associations promoted to interfere with the administration of the law.

MR. JOHN MORLEY: I submit, then, on my own account, that it would be very hard to distinguish between such an association as the Anti-Corn Law League, as it was viewed in the years between 1840 and 1846, and the National League which hon. Gentlemen opposite condemn. [*Cries of* "Oh, oh!"] I ask hon. Gentlemen opposite not to misunderstand me; I do not mean to say that the Anti-Corn Law League in all its aims and methods was exactly on all fours with the National League. No; but this I do say, that the Tory Party—and I think I know what I am talking about—the Tory Party, in the years from 1840 to 1846, used exactly the same language about the Anti-Corn Law League which they now use about the National League. Whether they were right then, or whether they are right now, I do not argue; all I say is this—it is extremely difficult for an Executive Government, with strong prepossessions, to distinguish between agitation for an amendment of the law and agitation to interfere with the administration of the law. Sir, I cannot imagine a greater farce than so enormous an interference with civil rights as this sub-section implies being defended by arguments which, without discourtesy, I must call so thin and so superficial as those advanced by the Government.

DR. COMMINS (Roscommon, S.): Whether this sub-section is good or not, or whether my arguments are good or not, the Government have not pretended to meet my case. The hon. and learned Attorney General (Sir Richard Webster) did not touch the case either. My contention was this—that the power of the Lord Lieutenant to proclaim associations and the subsequent action of the magistrates is an arbitrary power, without any definition or any legal check whatever. The hon. and learned Attorney General met me by asking if I would contend that an association formed for the purpose of interfering with the administration of the law, or the maintenance of law and order, ought not to be put down. This section does not provide anything at all of the sort; there is no single word in the section to the effect the hon. and learned Attorney General assumes. The sub-section does not say that the Lord Lieutenant is to proclaim societies formed for the purpose of "interfering with the administration of the law," or "disturbing the maintenance of law and order." What does it say—and I beg the hon. and learned Attorney General to reconcile the form of the sub-section with his argument. The sub-section says that if the Lord Lieutenant is satisfied that any association is interfering with the administra-

tion of the law, or disturbing the maintenance of law and order, he may put it down. There is not one single word said about a society being formed for the purpose of interfering with the administration of the law, or of being formed for the purpose of disturbing the maintenance of law and order. The hon. and learned Gentleman's argument, therefore, is founded upon a faulty reading of the section. His argument is really beside the question; and, again, the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) has not attempted to touch either the arguments of the right hon. Gentleman the Member for Derby (Sir William Harcourt) or of myself. He made certain protestations of the good intentions of the Government, and he also told us to remember that this Bill has been debated for a considerable length of time. So it has been debated for a long time; but that does not make this provision any the better—that does not answer my argument, or the argument of the right hon. Gentleman the Member for Derby. Furthermore, I say that unless something better is offered in defence of this clause, the opinion of the country will go with me that this is an attempt, covertly and by subterfuge, to interfere under this infamous Bill with perfectly legal associations.

MR. MOLLOY (King's Co., Birr): I think it will be generally admitted that one of the most deplorable exhibitions ever made in this House by a statesman was that made by the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) in the speech he has just delivered. The novelties of statesmanhip which he introduced in his speech were not applauded on this side of the House, and not even the wild cheers of the ex-Lord Mayor (Sir Robert Fowler) in the least degree covered the explanation of the right hon. Gentleman. One observation of the right hon. Gentleman the Chief Secretary showed how little he understood the very clause he was discussing. He boasted of the limitations which the Government had attached to the exercise of this clause, and then correcting himself—whether by the advice of those beside him or not—he abandoned the word "limitations," and used the word "limitation," which limitation is the sanction given by this House to the acts of the Lord Lieutenant. Well now, Mr. Courtney, vague as this sub-section is, large as it is in its purview, I do not think the Committee will clearly understand how vague and how large it is, or how despotic the power is, unless they look a little further than the words we are discussing. If he is satisfied that any association interfering with the administration of the law, or disturbing the maintenance of law and order, exists, the Lord Lieutenant is entitled to issue his special Proclamation. But, Sir, let us turn over the page and look at the result of the issuing of this special Proclamation. We find that once this special Proclamation has been made by the Lord Lieutenant, he can prohibit or suppress in any district whatever in Ireland any association—not only any association which is illegal, not only any association which may be injurious to the peace of the State, but any association in the whole of Ireland with which the Lord Lieutenant may be personally dissatisfied. What does this mean? Let us suppose that, under this vague clause, the Lord Lieutenant issues a special Proclamation, and that no fault can be found with the Proclamation on the ground stated by him as the foundation for the Proclamation, then the Lord Lieutenant may go, after the issuing of this special Proclamation, and put down any associations in Ireland. Now, what are the associations he will put down? Why, the first association he will be inclined to suppress will be the Irish Parliamentary Association, which meets in the City Hall in Dublin two or three times a-year. This association is composed of Irish Nationalist Members, who meet in Dublin for the purpose of considering the programme of the Session's work, and yet it can be put down by the Lord Lieutenant if he so thinks fit. There is not an association of any kind which the Lord Lieutenant cannot suppress under this clause, and, in saying this I am not going far beyond the words of this particular sub-head. [Sir EDWARD CLARKE: Hear, hear!] Why, he might even suppress the Biblical Association, an association established for the purpose of distributing Bibles among the people. I ask the hon. and learned Solicitor General (Sir Edward Clarke), who cheered me just now, if he denies that statement? Does he deny that, once a

special Proclamation has been issued, the Lord Lieutenant can suppress any association which he thinks dangerous? I ask him still further as to the Irish Parliamentary Association, or the Biblical Association, or any association which exists in Ireland, will he say that the Lord Lieutenant has not got power under this Act to put down and suppress those associations? He no longer says "Hear, hear!" to that observation; he admits it. [Sir EDWARD CLARKE: No, no!] Well, perhaps he will rise and point out where my error is? If he will look at Clause 7, he will see that—

"The Lord Lieutenant and his Council may from time to time, by Order to be published in the prescribed manner, prohibit or suppress, in any district specified in the Order, any association which he believes to be a dangerous association."

Now, where is the limitation to this power of the Lord Lieutenant? The only limitation is the limitation of the censure of the majority of this House. I imagine from his manner that the hon. and learned Solicitor General for Ireland (Mr. Gibson) disagrees with me. As my object and aim is to ascertain what the meaning of this clause is, will the hon. and learned Gentleman point out where my argument is at fault, or where there is any limitation to the acts of the Lord Lieutenant after this special Proclamation has been issued beyond the censure of the majority of this House?

SIR WILLIAM HARCOURT (Derby): I am glad to see that none of the lawyers, who have been so persistent in their defence of this Bill, have risen to support the doctrines of the right hon. Gentleman the Chief Secretary for Ireland. I venture to say that in the worst Tory days such language has never been held in the House of Commons as that we have heard from the right hon. Gentleman the present Chief Secretary for Ireland. Whether the Government are going to be supported in this matter by any man who calls himself a Liberal I know not; but let us remember what the doctrine laid down by the right hon. Gentleman is. It is that a Criminal Statute shall be made giving to the Executive Government any powers you like, however vague and undefined, and that those powers will be safe if they are only endorsed by a majority of the House of Commons. Let us know where we are; let us know what is the Tory doctrine, what is the principle of this Bill. I should like to know where the lives and liberties of Englishmen would have been for centuries if, according as the passions of Party prevailed, first on one side and then on the other, they should have been at the mercy of the Executive Government according to the temporary majority of the House of Commons. In turn each Party would have led its opponents to the stake or the scaffold. It is to prevent that that the administration of the Criminal Law has been placed in the hands of Judges, who have been, to a great extent, the security against the prevalence of Party passions in the administration of the Criminal Law. That is all cast to the winds. The right hon. Gentleman the Chief Secretary for Ireland says—"What more do you want? You will have whatever is done by the Executive under this Bill brought before you; you will have a Party majority to endorse the act, and this is enough for you; what more can you want?" He says it is an extraordinary thing that one who has been Home Secretary should protest against such a doctrine.

MR. A. J. BALFOUR: What I said was that it was most extraordinary for one who had been Home Secretary to attack a Judge for judicial decisions given as a Judge, and quote them as a reason for showing that he was incompetent to advise the Lord Lieutenant.

SIR WILLIAM HARCOURT: I say that English history has recorded an objection to the combination of judicial with executive functions. That is the very objection that was taken to the appointment of Lord Ellenborough as a Member of the Cabinet. It was thought likely that political considerations would enter, I will not say into his judicial action, but into his executive action, and I join with my right hon. Friend (Mr. John Morley) in expressing astonishment at the ignorance of the Chief Secretary for Ireland (Mr. A. J. Balfour). He exhibits his ignorance every night. He talks of a country of which he sees little and apparently knows nothing. Why, everybody knows that the Lord Chancellor of Ireland is one of the Chief Advisers of the Lord Lieutenant—one of the Chief Executive Officers in Ireland. He has always been so in the absence of the Lord Lieutenant. He is

absolutely the Chief Executive Officer, and always has been so. Well, then, I was perfectly entitled to challenge the fact that the great personage who now occupies that Office has, in a most extraordinary manner, exhibited himself in conflict with the majority of the Court of Appeal upon the question of the imprisonment of a person which closely affects the advice he would be likely to give. I maintain that my remark was a perfectly justifiable one. Has anybody ever thought that Lord Eldon or Lord Ellenborough, as Cabinet Ministers, were not to be challenged and have their opinions canvassed on account of political opinions they had given, as well as judicial judgments? The remark was only incidental to my argument. My argument goes a great deal deeper than that. Now, as to the Statute of 1882. The only thing that can be dignified by the name of argument from the Chief Secretary for Ireland has been his appeal to the Statute of 1882. He has appealed to Cæsar, to Cæsar let him go. Under the section of the Statute of 1882 referring to unlawful assemblies it was to be proved before a Court of Law that a man was a member of an association, and that that association was unlawful. Well, the Government choose to reverse the whole of that process, and they leave the life and the liberty of every man in Ireland to the absolute discretion of the Executive Government, and then they turn round and say—"We are secure of a Party majority; what does it signify?" That is a doctrine which I say has now been laid down for the first time. There was no Tory of the time of Lord Cork or Lord Eldon—I doubt whether you will find any man in the days of the Stuarts—who would have dared to get up and hold such language as the Chief Secretary for Ireland has held. This, forsooth, is Unionist language, and these are the tenets celebrated at festivities. This is the doctrine that we are asked to accept in the name of the United Party of the Unionists. Well, I will give you a much stronger example than that I gave just now—the example of the Anti-Extraordinary Tithe Association. I find that the Crown Lawyers are wonderfully silent. We have had the advantage of their advice upon the other clauses of the Bill; why are they so silent upon this? Why, Sir, because the lawyers and the law are excluded from this clause. They do well to be silent. If one of the Crown Lawyers is going to speak, I should like to ask him whether the Anti-Extraordinary Tithe Association, which I believe prevails in that disturbed and revolutionary County of Kent, is an association interfering with the administration of the law, because, if it is, why do not the Government come down and ask for powers to be placed—we will say—in the hands of the Home Secretary, to declare such an association unlawful, and to declare every member of that association guilty of a crime, and say—"What does it signify so long as we have got a Parliamentary majority to sustain the Home Secretary?" To the best of my ability I shall resist this proposal as one which has never before been made to Parliament, and which is sustained by arguments which have never before been addressed, in my opinion, to a free assembly.

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): What has taken place illustrates the inconvenience which sometimes arises from right hon. Gentlemen coming down to the House after a debate has been going on for hours, and affecting to know all about the question under consideration. If the right hon. Gentleman had honoured the Committee with his presence during the whole of this debate, he would have known some matters with which he now appears to be entirely unacquainted. The right hon. Gentleman has asked how it is that the lawyers on this Bench have not spoken on this clause, while they have spoken so frequently on other clauses?

MR. T. P. O'CONNOR (Liverpool, Scotland): He did not say that.

SIR WILLIAM HARCOURT: I did not say upon the clause at all, but I said upon this Amendment. I was here till 8 o'clock, and this Amendment is the first Amendment, in my opinion, on which I could state the objections I feel to this clause.

MR. HOLMES: There is no doubt whatever that the right hon. Gentleman said "the clause"—["No, no!"]—but I am quite willing to accept his explanation. At the same time he must bear in mind, as regards this Amendment, that my hon. and learned Friend the Attorney General (Sir Richard Webster) has spoken upon it, and having regard

to the circumstance that the Chief Secretary for Ireland followed my hon. and learned Friend it was almost impossible for anyone else to have spoken from this Bench. Now let us see what really we have to discuss. I do not intend to avoid discussing the Amendment by any means, but I think it is necessary to follow in some respects the two speeches which have been delivered with very considerable energy by the right hon. Gentleman opposite upon matters outside this particular Amendment, and which would be argued much more fittingly upon the clause as a whole. Now the right hon. Gentleman (Sir William Harcourt) has endeavoured to justify, in the second speech he made, the observations he made in the first speech with reference to the Lord Chancellor of Ireland; but I venture to say that his justification cannot commend itself to any hon. Member of this House. The right hon. Gentleman said that the Lord Chancellor was the Political Adviser of the Lord Lieutenant. That is a matter on which I differ from him. As far as I could gather from the remarks of the right hon. Gentleman the Member for Newcastle (Mr. John Morley) he did not endorse that statement, but he made another statement entirely different—namely, that the Lord Chancellor advised the Lord Lieutenant on legal matters. No doubt, the Lord Lieutenant is advised by the Lord Chancellor on some legal matters, just as, I presume, the Lord Chancellor of England advises the Cabinet on some legal matters. Surely it would never be said for a single moment that the Lord Chancellor of England was unfit to advise the Cabinet if upon a pure question of law he, sitting in the House of Lords, happened to differ from the other Judges. The right hon. Gentleman (Sir William Harcourt) has referred to the circumstance of the Lord Chancellor of Ireland differing from his Colleagues in a case to which reference was made. Has the right hon. Gentleman any information what the legal question involved in that case was? If he had the smallest idea what the question involved in that case was, he will know it was one of most difficult technicality, and that it was decided on as strictly legal, and was not one in which political considerations could by any possibility enter. It was the purest technical point, and because the Lord Chancellor, agreeing at all events with three Judges, happened to disagree with three others we have the right hon. Gentleman saying that the Lord Chancellor had the discretion to differ from his Colleagues in Dublin. I think that such language from a Gentleman in the position of the right hon. Gentleman is hardly decent to be used in this House. The right hon. Gentleman referred to the Judges in this country as being persons upon whom we are dependent for true and accurate administration of law and interpretation of law. I agree with him in that. But it certainly seems to me that it is highly inconsistent with a statement of that kind that when we have introduced in debate a decision upon a purely legal point the right hon. Gentleman should insinuate that it was some improper and political motive which led the Lord Chancellor of Ireland to differ from some of his Colleagues. Now, Sir, let us examine the subject of the attack upon this clause, for it is upon this clause as a whole that the right hon. Gentleman has spoken. He says the Lord Lieutenant is authorized to declare a certain association in Ireland as dangerous, and that, as the result of such a declaration, persons will be subjected to imprisonment. He says—"There is not a single provision to be found in any former Statute at all corresponding to the provision which we have proposed. "Show to me," he says, "in any Act similar power given to the Lord Lieutenant." May I call the right hon. Gentleman's attention to the provisions of his own Act of 1882. In that Act there was power given to the Lord Lieutenant on his own motion, and without the matter being laid before Parliament at all, to proclaim any meeting as illegal, and if any person attended that meeting that person should be subjected to consequences similar to those to which a person will be subjected under this Act. There might be a meeting of a Temperance Society or of an Anti-Vaccination Society, and the Lord Lieutenant, under the Act of 1882, had the power to declare that the meeting was illegal and must be dispersed. What is the difference between that and the Lord Lieutenant declaring an association as dangerous? If the right hon. Gentleman had referred to the Act of 1882 I suppose he would

have said that it was necessary for the good government of Ireland that such a power should be vested in the Executive, and that the Executive would not abuse it because the Executive would be subject to the control of Parliament. But let me point out to him that there was no such limitations in the Act of 1882 as we have introduced into the present Act. What is our answer to the statement that the Lord Lieutenant is uncontrolled in his action under this clause? Our answer is that we have provided in the Bill machinery which will make the Lord Lieutenant subject to the control of this House; and that it will be in the power of the House to prevent Proclamations being put forth by the Lord Lieutenant if the House considers them improper. But the right hon. Gentleman says that the majority of the House will probably support the Lord Lieutenant. Does he doubt that the majority of this House represents the majority of the people of this country? If he does not, then it follows that when the majority of this House supports the Lord Lieutenant the majority of the people of the country also support him. The right hon. Gentleman may laugh and sneer, but I say that the Act of 1882 to which he refers does not contain the safeguards which this clause contains. The right hon. Gentleman has made two speeches, but in the whole of them, with the exception of three sentences, he did not refer at all to the Amendment before the Committee. Reference was made by other Gentlemen in the course of the discussion to that Amendment, but the right hon. Gentleman says—"No; I will go back to my generalities—to what the House has already discussed in my absence for three hours; and now that I have returned I will see that it is properly discussed in my presence." Well, I will ask the right hon. Gentleman this question—supposing there is an association established to interfere with the administration of the law, is not that an association which, or the members of which, ought to be punished? But, says the right hon. Gentleman—how can you distinguish between an association to alter or amend the law and one to interfere with the administration of the law? I say there is no difficulty. I say that an association for the purpose of promoting the alteration or amendment of the law is quite a different matter, and easily distinguishable, from a combination of men to interfere with the administration of the law. The first is an innocent thing, the latter is a criminal thing; and however you arrive at the criminality, it is a thing that should be punished. We say that no injury can happen from the operation of this clause, placed as it is under the control of Parliament. We say that we believe we can, by means of this clause, so controlled, prevent the administration of the law in Ireland being violated in the gross and open way in which the administration of the law in Ireland is now interfered with every day. And we believe that if we succeed in that we shall have done good service to Ireland.

MR. DILLON (Mayo, E.): It is a striking thing to see an Irish Attorney General in a fine frenzy, laying down the principles of Constitutional Law. What a lucky thing it is for the English people that their liberties do not depend on Irish Attorney Generals! The right hon. and learned Gentleman said that he saw no difficulty whatever in carrying out or working this clause. Well, that observation accurately describes the state of mind of Irish Law Officers. They never do see any difficulty. They are always the ready instruments of the rulers of Ireland, and are willing to do their will. The right hon. and learned Gentleman says that he sees no difficulty in distinguishing between associations formed for the alteration of the law and associations formed to impede the administration of the law. No; Englishmen may see a difficulty, but Irish Attorney Generals never do see such difficulties. Any associations in Ireland troublesome to the Government will always find in an Irish Attorney General an easy and facile enemy. But the Chief Secretary to the Lord Lieutenant said that this clause had been hedged round by certain safeguards which he described, when he said that precautions had been taken that every Proclamation issued should be brought under the notice of this House. Well, but the right hon. Gentleman the Member for Newcastle (Mr. John Morley), and in a still more distinct manner the right hon. Member for Derby (Sir William Harcourt), pointed out how monstrous it is to suppose that the liberties of the people are safeguarded by the necessity of obtaining the sanction of the majority of

this House to any infraction of those liberties. Why, even if it were true that such a majority would be a sufficient safeguard for the liberty of the people of England, what would any honest man say when such a proposition is put forth as to safeguarding the liberty of the people of Ireland? Why, whenever the acts of the Executive are brought under the notice of this House, a majority of the House will, no doubt, decide on these questions; but it will be a majority who have never read this Bill, who know nothing of Ireland, and who think it no shame to confide the government of that country to a Gentleman, no doubt of great capacity, but one who seems to make it his pride that, knowing nothing of Ireland, he will learn nothing of Ireland. That majority in this House are absolutely ignorant of everything concerning the affairs of that country. ["Oh, oh!"] Well, perhaps, half-a-dozen Irish Members may know something, but then they are very bad advisers of the Government or of the House. And yet we are to be told that a decision of that majority on the action of the Executive in Ireland is a sufficient safeguard for us! I do not deny that it is, so far as it goes, an improvement on the clause as it originally stood. It is, no doubt, some slight check on the action of the Executive, that every Proclamation under this clause should be brought under the notice of this House. But that this should be described as a sufficient safeguard is a monstrous exaggeration of the effect of the provision. As to the action and the power of the Lord Lieutenant, the Chief Secretary for Ireland, in his splendid audacity, said quite inaccurately, that the Lord Chancellor of Ireland was not, and never had been, one of the chief advisers of the Executive Government of Ireland.

MR. A. J. BALFOUR: Not the chief adviser.

MR. DILLON: That is a considerable departure from what the right hon. Gentleman was understood to say before. Well, I say with confidence that the Lord Chancellor of Ireland is and always has been one of the chief advisers of the Executive in Ireland. Now, what was the proposition laid down by the right hon. Gentleman the Member for Derby (Sir William Harcourt). His proposition did not affect the judgment given by the Lord Chancellor of Ireland in the case to which he referred, but the discretion of the Lord Chancellor, in giving of his own mere motion when he had no business—when there were plenty of Judges to do the work without him—he being one of the chief political advisers of the Executive of the country, to sit in judgment on the trial of a case which had excited most intense political passion in that country, and then differing from the vast majority of the Judges of the Court in giving a judgment favourable to the Government of which he formed part. You will search the annals of English justice for a long time back before you can find a parallel to such a transaction. It is characteristic of Irish Law Officers that a subordinate is always ready to get up and defend his superior. And the Attorney General for Ireland has, accordingly, not shrunk from doing so in this instance, although it is notorious to anyone who has looked into the circumstances of the case that the Lord Chancellor of Ireland committed a grave indiscretion, and did an act which would not be tolerated in this country for a moment. The Chief Secretary for Ireland has now withdrawn from the position he originally took up by admitting that the Lord Chancellor of Ireland is one of the chief advisers of the Executive in Ireland. I maintain that the Lord Chancellor has always been, and now is, one of the Chief governors of Ireland. He is the Adviser of the Executive, not only on legal points, but as to the administration of the law. Moreover, he is the substitute for the Lord Lieutenant when the Lord Lieutenant is not in the country. And, in many Administrations, the Lord Chancellor has been the chief instrument in the conduct of the government of Ireland. And why? Because he was a man who had lived in the country through many Administrations, and who knew the country; and he had to deal with Englishmen who had been sent over to Ireland, but who knew nothing about it. And while they imagined that they governed the country, he did so; for he was the one man in the Government who knew what he was talking about. During Lord Spencer's Administration, for instance, Sir Edward Sullivan, the then Lord Chancellor, had more to do with the government of the country than the Lord Lieutenant. And though it may be said that

the Lord Lieutenant is the responsible man, yet I dare say the Chief Secretary will say that he is responsible, though there is not a man in England, Wales, or Scotland who has in reality less power in Ireland than the Chief Secretary for Ireland. The first essential of power is knowledge. And though he may sit there as a simulacrum of Government, and an effigy which we in vain assail, the men who in fact govern Ireland are not in this House, and are not responsible to this House. There are, indeed, very few men—if there be one—who have at present more influence in the Government of Ireland than the Lord Chancellor. It seems to be forgotten, too, that the present Lord Chancellor is one of the chief Irishmen in the Cabinet, and that he is one of the chief influences in moulding the Irish policy of the Government. It does, therefore, appear strange that the Chief Secretary should state that the Lord Chancellor was not responsible for the Government of that country. Now I turn to the Amendment before the Committee, and I ask the Committee to consider whether a single argument has been produced against the omission of this sub-section. I wish to lay before the Committee an aspect of this question which has not hitherto been opened out in debate. The Government, it seems to me, have drafted this section of the Act in the clumsy fashion which characterizes every clause we have debated up to the present moment. They have said that if the Lord Lieutenant is satisfied that any association is formed for a certain number of purposes catalogued under no fewer than five heads, then certain consequences shall follow. It should have been the object of the draftsman to have abbreviated his Bill as much as possible, inasmuch as he knew that he would have to deal with the opposition of the Irish Representatives. What object, then, could the draftsman have had in putting five sub-sections into this clause? At the bottom of Clause 6 we find that "crime" means any offence punishable under this Act. To understand the meaning of the latter phrase we have to go back to Clause 2, and then we find that, reading Sub-section (a) of this clause with Clause 2, any association is punishable if it be formed for the purpose of committing any of the following, amongst other crimes—taking part in a criminal conspiracy not to let, hire, or use any land, wrongfully and without legal authority to use violence or intimidation towards any person, and so forth; and also that any person shall be punishable who shall take part in any riot, or shall wrongfully take possession of any house or land, or obstruct, or try to obstruct, a bailiff or process-server or other minister of the law while in the execution of their duty. Since all these offences are covered by Sub-section (a) of the present clause—when read together with Clause 2—what did the draftsman mean by slipping in Sub-sections (b), (c), and (d), every one of which is included, as far as I can make out, under Sub-section (a)? The only object which the draftsman could have had, if he had any, or knew what he was doing, was that he might strengthen the hands of the Government for the time being in Ireland, and to point out to them, in the most distinct manner, what their powers are, and what they are expected to do. Had I been advising the draftsman, I think I should, however, have advised him simply to put in Sub-section (a), which, when read with Sub-section 6 of the clause, covers everything included in Sub-sections (b), (c), or (d). Under Sub-section (e) they would, however, have unlimited power. If they would consent to omit that sub-section, it would probably save them an hour's debate to-night.

MR. CHANCE (Kilkenny, S.): Under Sections 6 and 7 the Government may say that certain associations are dangerous associations. And then Section 6 says that every such association is unlawful, and that every meeting of it is unlawful. What I have risen to point out is that Section 7 will, therefore, enable the Lord Lieutenant to declare an association unlawful, and any meeting of it unlawful; and thereupon that assembly is an unlawful assembly. Then the Whiteboy Acts, and all the atrocious penalties of the Whiteboy Acts as to unlawful assemblies, can be, and will be, put in force. Now, I think the Committee should be warned that they are not dealing with powers to give three months' imprisonment, but that they are giving the Lord Lieutenant power to put the Whiteboy Acts in force at his own sweet will.

MR. T. M. HEALY (Longford, N.): I beg, in the first place, to congratulate

the First Lord of the Treasury on his having found it possible to sit for so many hours in this House, and to forbear from once moving that the Question be now put. I do not know what to attribute it to, except to a special access of Jubilee feeling. In a very important point of view this Bill would have been incomplete without this clause. The Lord Chancellor should have something to do. Powers are given by the Bill to the Resident Magistrates, to the special jurors, and to the Lord Lieutenant; so that you have in Ireland about 3,000 persons concerned in the administration of justice; and I think it would have been a slight on the Lord Chancellor if some such powers as are given him by this clause had not been conferred upon him. How are those powers conferred? Well, a great thing about this Bill is that it is like a dictionary—it is rather disconnected. You have to turn to the Definition Clause to get a full waft of its meaning. I find from that clause that "Lord Lieutenant" means "the Lord Lieutenant, or the chief governors of Ireland for the time being." In other words, it means the Lord Chancellor and the German Prince of Saxe-Weimar, who is now one of the Lords Justices.

THE CHAIRMAN: The hon. and learned Member is now objecting to the previous part of the clause; but we are now discussing a proposal to omit Subsection (e).

MR. T. M. HEALY: I was going to point out that if the Lord Lieutenant goes away, say for the purpose of attending horse-races, these things should not be left to Mr. Saxe-Weimar alone.

THE CHAIRMAN: That is not relevant to the question before the Committee.

MR. T. M. HEALY: I wish to point out who are the parties that might exercise power in the absence of the Lord Lieutenant; but I will pass on to something else. The Irish Secretary says that we have protection in the fact that we have the majority of the House of Commons to deal with. But we have not the majority of the House of Commons, but the majority of the Smoke Room, to deal with—for that is what it comes to. The House of Commons decides nothing. The number of Members present at any discussion is always a small number. It is Gentlemen who are now smoking their pipes on the Terrace who will decide the question we are at present discussing. It is absurd to pretend that in these matters we have the protection of the House of Commons, because the majority of the House of Commons is a floating, shifting, majority—the units for the time being are continually changing. Then all that the majority of the Members of the House of Commons have to consider and do consider is that they are bound not to put out the Government. That majority is to a large extent composed of persons who say that we must suffer evil to be done in Ireland for the sake of the good that the Government may do. We know that the Liberal Unionists will support the Government as long as the Government will support the Union; and we are now in the hands of a House of Commons where the balance of power is in the hands of Gentlemen who declare that they will support the Government, let them do what they will, so long as they will support the Union. That gets rid of the pretence that in this matter we have the protection of the House of Commons. At the same time, I largely agree with my hon. Friend (Mr. Dillon) in what he has said. We never get any argument from the Government in the first instance; but we always get it afterwards—that is a great advantage. When you have a right hon. Gentleman get up in this House to mutter soft nothings; and still more when a Gentleman in the position of the Attorney General for Ireland, whose duty it is to use argument and deal in logic, gets up in this House to utter a series of nothings—that seems to be the negation of all debate. When this clause was being moved we might have expected that some ground would have been stated for its adoption. But we were disappointed; we were not told what organization it was desired to strike at. We had, in short, no justification offered for the proposals of the Government. When the Crimes Act of the late Government was under discussion the present right hon. Member for Derby (Sir William Harcourt) was always ready to meet us not only with wise saws, but with modern instances. He was able to put his finger on the body politic of Ireland and say—"There is a mischief, and to that I propose to apply a Coercion plaster." But that is not the position of

the present Government. They say—"It is possible that such and such a thing might, could, would or should happen in the course of the next century, and we propose to deal with it." The right hon. and learned Attorney General for Ireland ought to say something to justify his position; he really ought to obtain some acquaintance with the subject. Let us consider for a moment the question of unlawful assemblies or dangerous associations. What attempt at definition has been given? It has been said the Anti-Vaccination Society may be brought within the purview of this section. It has been shown that it is possible the Anti-Extraordinary Tithe Association may be dealt with under this section. We are not told to what associations it is intended to apply the section. One of the most curious things in the whole course of this discussion is the shame-faced way in which the Government have defended the clauses of the Bill, by not telling us what is in their hearts, and by giving us reasons which they do not believe themselves, and which really do not apply to the facts of the case. They mean to apply this section to political and agrarian associations, but they dare not say so. They mean to apply the section in the interest of the landlords, but they dare not say so. That is why generalities are used in this House. Therein lies the difference between the defence of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour's) Bill and the defence of the Bill of 1882 by the right hon. Gentleman the Member for Derby (Sir William Harcourt). We were not able to get up and object to a provision of the Bill of 1882, without the right hon. Gentleman being ready to cite some actual case to justify his proposal. From the very commencement of the consideration of this Bill except with the single exception of the 1st clause when they cited the result of the Phœnix Park murder inquiries in justification of the provision relating to preliminary inquiries, the Government have not given us a single valid reason for their proposals. But in their hearts they have reasons. We know what reasons are in their hearts. We know they do not express their reasons, but we shall get at their reasons when these provisions get into actual operation in Ireland. Then we shall know why the Government have held their peace, and not dared to say exactly what it is they intend to apply this section to. I suppose the Chief Secretary to the Lord Lieutenant will never go over to Ireland, but will simply advise the Lord Lieutenant by means of the penny post or the 6*d.* telegraph. His Excellency the Lord Lieutenant or the Duke of Saxe-Weimar will remain in Dublin, and the Chief Secretary from his easy chair in his private residence, or perhaps when he is shooting grouse, will send over the advice of Her Majesty to proclaim such an association, which association will be the National League. You will at once have the protection of the peasant of Ireland from the exactions of his landlord taken away, and every man who is a member of the League will be subject to six months' imprisonment. These are the proceedings which will give you a rather unquiet time in England and in Ireland when this House is prorogued. We are told that one of the safeguards of this section is that the House is to be called together, but so craftily is the section worded that no real safeguard will be found in this direction.

MR. CLANCY (Dublin Co., N.): It is with some fear and trembling I rise to say a few words upon this Amendment seeing that the right hon. Gentleman, whose very English name will henceforth be indissolubly connected with the French expedient for abolishing free discussion. But if I am allowed a few minutes I should like to say what, in my opinion, is the real meaning of the sub-section. The section provides—and provides effectually—for the suppression of any association to which the Government may object. The special meaning of this sub-section is to prevent criticism regarding the administration of the law in Ireland. The right hon. and learned Attorney General for Ireland (Mr. Holmes) in the course of his speech referred in a general way, as he usually does, to the existence of certain associations in Ireland which interfered with the administration of the law. Now, I challenge him to name the association which he says interferes with the administration of the law. The real fact is that if any association called by any name whatever passes a Resolution regarding jury-packing in Ireland, for instance, under this Act, that will be an association which will have interfered in

the opinion of the Irish Executive with the Administration of the law. We know that jury-packing has occurred in Ireland, and that it will continue to occur in that country, and no doubt if any association, whether it be called the National League or not, no matter how innocent its members may be, how innocent its career may have been, the very fact that it has passed a Resolution denouncing certain instances of jury-packing will be sufficient cause in the mind of the Chief Secretary for Ireland for putting into execution this particular sub-section. And, as regards Resident Magistrates, it is outside human credibility that they will not misuse their power. The powers granted to them are too large and arbitrary not to be misused, and to protect the Resident Magistrates against criticism this clause has been proposed. I beg English Members to understand that what we are saying is the truth. The special meaning of this section is to prevent anything like an effective and honest criticism of the mal-administration of the law which is certain to occur under this Act.

Question put.

The Committee *divided*:—Ayes 228; Noes 140: Majority 88.—(Div. List, No. 239.) [12.40 A.M.]

MR. FINLAY (Inverness): Mr. Courtney, I beg to move the omission of the words, in line 10, "in this Act referred to as a dangerous association." This Amendment is the first of several Amendments which I have set down to this clause, and with your permission, Mr. Courtney, I propose to say a few words explaining the general scope of these Amendments, for the first, taken merely by itself, is not intelligible. The 6th and 7th clauses as they at present stand have this effect—that a special Proclamation is issued under the 6th clause that brings into operation the powers of the Act with regard to dangerous associations. The special Proclamation under the 6th clause comes under the review of Parliament; but this special Proclamation is perfectly general in its terms, and if this special Proclamation be justified by the existence of any dangerous association in any part of Ireland, then the powers conferred by the 7th section are brought into operation. Now, the powers conferred by the 7th clause are absolutely unrestricted. The Lord Lieutenant, after the special Proclamation has been issued, and while it remains in force, may by order under the 7th clause suppress any association in any part of Ireland, and it would be no defence whatever to proceedings instituted against anyone who after this order took part in the proceedings of that association, that the association was alleged to be innocent. There is, as I read the 6th and 7th clauses, no check whatever upon the exercise of the powers conferred upon the Lord Lieutenant by the special Proclamation under the 6th section. Now, I can see that there are certain objections to the framing of the clause being such as I have indicated. In the first place, I cannot think it is necessary to confine to the Executive so very large and so unfettered a discretion. It can hardly be necessary that the Lord Lieutenant should as soon as the powers of the Act with regard to dangerous associations are brought into play be entitled to suppress any association, even though that association did not form the justification for the special Proclamation under the 6th section which comes under the review of Parliament; and, in the second place, I conceive that the framing of this section might put great practical difficulties in the way of putting the power into operation at all. For this case may arise—there may be a dangerous association in one county of Ireland, and yet the Lord Lieutenant could not bring into operation the powers of the Act with regard to this dangerous association without clothing himself with power to put down any association in any part of the country, although all that was wanting was power to deal with an association in one county of Ireland. Under these circumstances, I can see there might be very great difficulty in justifying to either House of Parliament the issuing of a special Proclamation which would confer such unlimited powers on the Lord Lieutenant when the mischief to be dealt with was strictly localized. The object of my Amendments is to require the Lord Lieutenant in his special Proclamation to specify by name or by description the association in respect of which he desires to enjoy the powers conferred by the 7th section. This special Proclama-

tion will come under the review of Parliament, and if that special Proclamation is upheld, and so long as it remains in force, I propose that the Lord Lieutenant should have power under the 7th section to make orders suppressing only those associations which are named or described in the special Proclamation under the 6th section which comes under the review of Parliament in the manner to which I have just referred. Of course, it may be said that the difficulty may arise in this respect—that after the special Proclamation has been made, and after the order has been made, the name of the association may be changed. This is a difficulty which, of course, must be faced; but I can see a mere change of name, a mere colourable alteration in the constitution of the association would be adopted, if that would form a defence to a prosecution under the 7th section, providing that a change of name or other alteration shall not be a defence if the association is substantially that mentioned in the special Proclamation. With this explanation, which I think sufficient to render intelligible the Amendment which is now under discussion, I propose to omit, in the 10th line of this clause, the words "in this Act referred to as a dangerous association." I propose this for the reason that I propose by my next Amendment that, instead of bringing into force by a special Proclamation the powers of the Act with regard to dangerous associations, the Lord Lieutenant should by that special Proclamation declare to be dangerous any association or associations named or described in such Proclamation. The other alterations I intend to propose in the 6th section are consequential upon that; and then, in the 7th section, I propose that the Lord Lieutenant should have power to prohibit or suppress in any district specified in the order any association named or described in the special Proclamation. The object of these Amendments is to give Parliament an effective control over the exercise of those powers by providing that they shall be employed only in respect to associations which have been named in the special Proclamation which come under the notice of Parliament.

Amendment proposed, in page 5, line 10, to leave out "in this Act referred to as a dangerous association."—(*Mr. Finlay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I think the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) has probably done well to explain to the Committee the general scope of his Amendment. The Government are quite conscious of the nature of the contingencies for which the hon. and learned Gentleman is desirous of making provision. We are quite aware that under the clause as at present drawn it would be possible —I do not think it would be likely—for a Lord Lieutenant to make a declaration which would justify the Government of the day in issuing a Proclamation, and afterwards for the power thus given to be used with regard to associations to which the original justification did not apply. That, no doubt, is possible under the clause as it stands. I do not think it is likely; but it is possible. With regard to the second objection of the hon. and learned Gentleman, that the powers given by the Proclamation may be actually in excess of those asked for, that is to say, that although the association aimed at may be confined to a small district, the powers taken in connection with it may be of a far-reaching character extending to the whole of the country. I do not know whether the provision will be found to lead to injustice in its application; but the objection is undoubtedly worthy of the consideration of the House. The difficulty we find in accepting the Amendment of the hon. and learned Gentleman arises from a doubt whether it would not be possible for dangerous associations to escape from the provisions of this clause by a change of name, or by changes in its constitution which would not really cause any substantial alteration in its character, but would leave it as powerful for harm as before, and which might, perhaps, if the Amendment of the hon. and learned Gentleman was introduced into the Bill, make it impossible to deal effectually with the association without bringing Parliament together again in the Recess for the purpose of obtaining a new Proclamation.

MR. FINLAY: I have put an Amendment on the Paper which will meet that difficulty.

MR. A. J. BALFOUR: The hon. and learned Gentleman has put an Amendment on the Paper which he says will meet the difficulty. It is possible that it would; but we should like first to consider the matter, to see whether there is any danger of the clause being rendered nugatory by the protean powers of these associations, powers which have been exercised in the past and may be exercised in the future. In accepting the Amendment now before the Committee, it must be distinctly understood that we do not pledge ourselves to also adopt the consequential Amendments of the hon. and learned Gentleman; but that we shall take care that the consequential Amendments which must be introduced in the later clauses of the Bill shall be of a kind which shall render it absolutely impossible for an association by any colourable or unsubstantial alteration of the kind I have indicated to escape from the penalties we propose should be imposed. I think what I have said to the Committee clearly indicates the policy of the Government with regard to this Amendment. We feel the full weight of the arguments adduced by the hon. and learned Gentleman, and we desire to give as much effect as possible to the intentions which his Amendment embodies; but we cannot do so at the cost of sacrificing the efficiency of this clause even in the smallest degree.

MR. LOCKWOOD (York): I desire to call the attention of the Committee to the scene that has just been enacted. By the decision of Her Majesty's Government we have got until 10 o'clock on Friday night to debate this Bill in Committee. It is evident that the Amendment of my hon. and learned Friend the Member for Inverness (Mr. Finlay) was agreed to before ever he proposed it in the House. In the interests of Ireland, and in the interests of this House, I protest against our time being taken up with such solemn farces as that we have just witnessed.

SIR WILLIAM HARCOURT (Derby): The right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) said that he had clearly declared the policy of the Government with reference to this Amendment. Well, Sir, I venture to say that there is not an hon. Member on either side of the House who has the remotest idea whether the Government intend to accept or reject this series of Amendments. The right hon. Gentleman the Chief Secretary says he feels the full force of the objections raised by the hon. and learned Gentleman the Member for Inverness (Mr. Finlay); but he adds that it must be quite understood that if he accepts the first Amendment he is not at all bound to accept the other Amendments which the hon. and learned Gentleman says are the necessary consequences. And that is a clear declaration of policy on the part of the Government. I agree with my hon. and learned Friend the Member for York (Mr. Lockwood) that we are assisting at a solemn farce. We have not heard from either of the confederates the terms of their agreement; and it seems to me that they are playing "booty" either to one another or to the Committee. Is it, or is it not, agreed that this Amendment, or this series of Amendments, are to be accepted; or is it that the hon. and learned Gentleman who has placed them on the Paper is to be complimented by the acceptance of the first Amendment, and then substantially thrown over by the rejection of the Amendments which come afterwards? It has been practically admitted that this Bill gives despotic powers, which are even more than a Liberal Unionist can swallow. By some extraordinary accident the eight distinguished Tory lawyers who drafted the measure have drawn up a clause which would enable the Lord Lieutenant, after making a declaration to Parliament that a dangerous association existed in the County of Kerry, and ought to be suppressed, to take powers for the suppression of all dangerous associations in all other parts of Ireland. That is the outcome of the sagacity of the Government—a Government which professes such regard for Constitutional principles, and which would not for a moment transgress the limits of what is actually necessary. The right hon. Gentleman the Chief Secretary told us that this clause is, no doubt, without precedent. The Government having made this monstrous proposal, I wonder they have been at the trouble to have anything else but this clause. They might dispense altogether with all the other clauses dealing with judicial procedure, and pass this clause for the whole of Ireland. Why not model the whole of the clauses on the

Constitutional principles of the right hon. Gentleman the Chief Secretary for Ireland, as embodied in this clause? I want to know what is this clear policy to which the right hon. Gentleman the Chief Secretary has referred? We are told that this Amendment is only leading up to five or six other Amendments, and that those Amendments challenge the whole principle of the clause. We find that this clause will give the Lord Lieutenant a roving commission, by which he may, after getting the assent of Parliament to deal with a particular district, do what he likes with the whole of Ireland. That is admitted. Then a series of Amendments is proposed to remedy this evil. How does the right hon. Gentleman the Chief Secretary for Ireland deal with them? He has known all along what would happen; but he will neither tell us whether the Government are going to accept or reject the consequential Amendments of the hon. and learned Gentleman the Member for Inverness.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The right hon. Gentleman the Member for Derby (Sir William Harcourt), in his customary humorous manner, has described the proceedings of the last few minutes as a farce. I admit that he is an excellent judge of such matters. He has played the principal part in a great many farces, as when he puts arguments before the House that were clearly brought forward simply and solely for the purpose of appealing to hon. Members below the Gangway. But, Sir, I am not careful at the present time to consider whether the right hon. Gentleman is correct in asserting that we are assisting at a farce. I shall, in a very few sentences, endeavour to put before the House what I understand is the view of Her Majesty's Government in regard to these Amendments. I repudiate entirely the insinuation of the hon. and learned Gentleman the Member for York (Mr. Lockwood) as to the conduct of the Government in this matter. He suggested that an arrangement had been come to in reference to the Amendment of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) before it came on for discussion; and he further said that the Amendment was only put down for the purpose of occupying the time of the Committee.

MR. LOCKWOOD: I must differ from my hon. and learned Friend with regard to that. I certainly did not say the Amendment was put down with the intention of wasting time. What I said was that the effect of putting down the Amendment had been to waste time.

SIR RICHARD WEBSTER: I do not understand what the hon. and learned Gentleman means. Either the Amendment was put down before the arrangement was made for reporting this Bill or it was not. Those who have studied the course of the proceedings will know that it was put down some days ago. It is, of course, difficult for hon. Members below the Gangway to conceive that Her Majesty's Government can approach any question in connection with this Bill with fairness or honesty. We submit to that kind of criticism and accept it for what it is worth. But the position of the Government is this—the question before the Committee is whether the Proclamation contemplated in certain districts shall or shall not name particular associations, or whether the Lord Lieutenant shall simply be given general powers. I think the House will see in a moment that, assuming the Government to be influenced by honesty of purpose, it is a very important matter to consider. From what I understand, the right hon. Gentleman the Chief Secretary for Ireland himself stated, in the clearest possible terms, that if you determine to put in the Proclamation the name of the association declared to be dangerous, then you must take care, by the terms of the subsequent Amendments, that the effect of the Proclamation is not destroyed by the association being able to change its name. So far from their being any doubt about the statement of the right hon. Gentleman the Chief Secretary, I understand him to say that if we accept this view we will, ourselves, frame Amendments which shall express our opinion clearly, and we shall then take the responsibility of submitting these Amendments to the House, and of insisting on their adoption. That was what I understood the right hon. Gentleman the Chief Secretary to say. [SIR WILLIAM HARCOURT dissented.] The right hon. Gentleman the Member for Derby will pardon me for saying that that was what I understood the right hon. Gentleman the Chief Secretary to say. I have no wish to enter into a personal controversy with

the right hon. Gentleman on the subject. I can only remark that I understood the right hon. Gentleman the Chief Secretary to say that in consenting to adopt this Amendment, Her Majesty's Government would take care that the later Amendments should be framed for the purpose of providing that an association should not be able to evade the effect of the Proclamation simply by casting its skin. It is not our fault if, from the humorous aspect of the case, which is so prominent to his mind, the right hon. Gentleman the Member for Derby puts a different interpretation on the statement of the right hon. Gentleman the Chief Secretary. This Amendment has been considered on its merits. It has been considered in the same spirit in which we have considered Amendments coming from below the Gangway, Amendments which, if they could honestly be accepted, have been accepted. There are plenty of hon. Members who know that what I am saying is perfectly accurate. Her Majesty's Government do not in any way shirk the responsibility of dealing with this question. All they say is, and I have endeavoured to put it as clearly as is in my power, that if we agree to put in the Proclamation the name of the association, we must ourselves see that words are framed for the purpose of preventing such association getting out of the Proclamation by merely changing its name, or by some similar device.

MR. T. M. HEALY (Longford, N.): I respectfully submit that we should not be asked to buy a pig in a poke. The Government arranged with the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) several days before a period was fixed for reporting the Bill to accept his Amendment, and now they wish the Committee to agree to the Amendment before an indication has been given as to how they propose to deal with the matters arising out of it. I altogether repudiate the idea that we can accept the Amendment under these conditions. I should have no objection to its acceptance if we knew what was to be the pendant to the Amendment. Under other circumstances, of course, at this hour of the night a Motion would be made to report Progress, so that we could see what the Government intended to propose. But no such Motion can now be made except by the Government. We can understand the position of the hon. and learned Gentleman the Member for Inverness. According to the provisions of the Bill, as it now stands, another Lord Lieutenant might proclaim the Orange Association, and it is in the interests of the Orangemen that he is moving. The Amendment is really nothing more nor less than a snake in the grass. They have taken very good care in their own clause to protect the Orange Associations by providing that the House of Lords may step in at any moment and prevent, by Address, this power being exercised. It is an aid to the Orange Association. It is in the interest of this association the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) is acting. So far as he is affording protection to what he considers legitimate organizations, I can assure him we give him no thanks whatever. The naked sword of despotism has been placed in the hands of the Government; let them do their best with it. The hon. and learned Gentleman (Mr. Finlay) proposes to put a cork on the tip of the sword to prevent the point from stabbing his friends, but he wishes the blade to be used against us. I prefer the naked sword. It is quite evident to us the Government wish to entrap us. If we were dealing with an honest Government, with a Government composed of Gentlemen who knew anything about the country, or who had any capacity except for the hiring of a man to read out answers to Questions put in this House, for that is the extent of the genius shown by the right hon. Gentleman the Chief Secretary for Ireland, we could understand such an Amendment as this being moved. Having intended to accept this Amendment, I can only say to the Chief Secretary, who has now added a knowledge of law to his other ignorance, the least thing he might have done was to have hired or have employed, for perhaps that is the word to use, some Gentleman possessing as much knowledge as himself, the right hon. and gallant Gentleman the Member for the Isle of Thanet (Colonel King-Harman), for instance, to put upon the Paper consequential Amendments.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I agree with my hon. and learned Friend who has just sat down. [*Ministerial cheers.*] Oh, yes; I am always

very glad when, on any Irish Bill, I am able to agree with the majority of the Members from Ireland. I should have thought that was a rather better principle than yours. I am glad to be able to agree with my hon. and learned Friend the Member for North Longford (Mr. T. M. Healy) when he says the Amendment moved by the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) is not one to excite any great enthusiasm. We do not expect Amendments of a character to excite any great enthusiasm from that quarter. Hon. Gentlemen who give such votes as the hon. and learned Gentleman has given during the progress of this Bill, can scarcely figure now as ardent defenders of the civil rights and liberties of the Irish people. But if a Liberal Unionist, or anybody else in the House, proposes an Amendment which seems, in however trivial a degree, to make for an improvement of the Bill, I do not see why we should not accept it now. What I should urge is that we should to-night accept the Amendment of the hon. and learned Gentleman. It is quite true, as the hon. and learned Member for North Longford had said, we do not yet know where the Government may ultimately land us in their dealings with the consequences of this Amendment. But I suggest that we should better consider that to-morrow. The best course to-night will be, I think, to assent to this Amendment, and then keep our minds free for dealing with the other suggestions of the Government to-morrow afternoon.

Question put, and *negatived.*

MR. CHANCE (Kilkenny, S.): I beg to move to leave out the words "by and with the advice of the Privy Council." We have already heard a great deal about the necessity of putting responsibility on the Executive. If that argument is worth anything at all, we ought to accept this Amendment. The Privy Council of Ireland is composed of partizans of the Government, of broken-down landlords and the like; and we do not desire to have the assistance of those gentlemen. We do not desire the Government should be able to use persons of that character as a cloak for themselves. Therefore, I beg to move that the words "by and with the advice of the Privy Council" be struck out.

Amendment proposed, in page 5, lines 11 and 12, to leave out "by and with the advice of the Privy Council."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): The Government cannot accept this Amendment, which raises the very question which was raised last night.

MR. T. M. HEALY (Longford, N.): Last night we were dealing with a totally different question, it was to a large extent a question of law. Here, as I understand it, if the Lord Lieutenant is satisfied that there exists in any part of Ireland a dangerous association, he may, by and with the advice of the Privy Council, proclaim it. That is to say, that upon a non-legal matter the members of the Privy Council may come in. This is purely a question of policy, and upon such a question the right hon. and gallant Gentleman the Member for the Isle of Thanet (Colonel King-Harman) and other equally strong partizans are to be consulted, and in the House of Lords a Proclamation will be defended on the ground that it was sanctioned by the wise heads of the Irish Privy Council. You will say—"We acted by and with the advice of the Privy Council," and we take our stand upon the opinion of these gentlemen who are experienced in Irish affairs. That is the position the Government will take up in the House of Lords, and it is upon that ground we ask you now to take your stand upon the bare intelligence of the Marquess of Londonderry, be that more or less. The words proposed to be omitted are merely words of ornamentation, and therefore no harm would result from the adoption of the Amendment.

MR. DILLON (Mayo, E.): With great respect to the Attorney General for Ireland, I beg to say this is not the same question discussed on the last clause. In the first lines of this clause the Lord Lieutenant is to be satisfied as to the dangerous character of an association, and then when he issues a Proclamation, he must do so by and with the advice of the Privy Council. Was there ever anything so preposterous? If the Lord Lieutenant is satisfied that an associa-

tion is dangerous—and as to the character of an association, he is not to consult the Privy Council—he may by and with the advice of the Privy Council proclaim the association. Can anything more absurd be imagined? We consider that the Irish Privy Council contains the essence of all that is bad, antiquated and bigoted in Irish public life, and we shall object to every line of this Bill in which the name of the Irish Privy Council occurs.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): As this Amendment appears likely to occupy some considerable time, and looking to the fact that we have to meet again to-morrow at 12 o'clock, I beg to move that you, Sir, do report Progress.

MR. CHANCE (Kilkenny, S.): I rise to a point of Order. The Motion the House passed on Friday provided that a Motion to report Progress should only be made by the Member in charge of the Bill. I am afraid the right hon. Gentleman the First Lord of the Treasury, who by the aid of the clôture passed the Motion, forgets that his name is not on the back of the Bill.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. A. J. Balfour,*)—put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

CROFTERS' HOLDINGS (SCOTLAND) BILL.—[*Lords.*]—[BILL 287.]

(*The Lord Advocate.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

MR. ANDERSON (Elgin and Nairn): This Bill is brought in to amend the Crofters Act in certain particulars. There are most important matters in respect to which this Bill might apply; indeed, in my opinion the limitation in the operation of the Bill is a very fatal defect in the measure. The Government are aware that evictions of a very serious character have taken place in the County of Elgin, and therefore they cannot expect the Scotch Members to be satisfied with a Bill of this kind. Only to-day we heard of the enormous reductions of rent which have taken place in Inverness-shire. Do the Government suppose that the crofters in the adjoining counties will rest content or quiet when they hear that the crofters of Inverness-shire have received 20, 30, 40, and 50 per cent reductions made in their rents? I do not propose at this hour of the morning (1.55) to dwell upon this point, because, perhaps, the answer will be made to me that this is a matter which I ought to bring forward in Committee. I presume, Mr. Speaker, it will be open to me in Committee to move additional clauses, and I only interpose now for the purpose of endeavouring to get the Government between this and the Committee stage, to seriously consider whether they would not be wise to enlarge the scope of the Bill, to accept Amendments which it is obvious ought to be introduced into this Bill. This Bill was originally brought forward by the hon. Gentleman the Member for Caithness (Dr. Clark). It was then opposed by the Government, as, I am sorry to say, they have opposed all crofter legislation, but at the suggestion of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) the Bill was brought forward by the Government. The right hon. Gentleman has lately been in the Highlands, and has investigated the Crofter Question, so that I cannot help thinking that in Committee I shall have his assistance—I hope I shall—in the effort to extend this Bill. The Government must see the hardship the Bill entails upon the crofters, in counties to which it does not apply, men who are in exactly the same position as the crofters of Inverness-shire. The Lord Advocate has said this is a matter which was considered in the last Parliament. That is an entirely false position to assume. This question was not considered by the last Parliament. It must be perfectly well known to the Government that there are something like 1,000 crofters in Elgin and Nairn, situated in exactly the same position as the crofters of Inverness-shire, and are they to be told they are to be turned out of their holdings without any redress or compensation—are they to be subjected to the exorbitant rents which it has been shown they are required to pay? Surely, if the Government reflect for a moment, they must see how impos-

sible it is to expect people to live under such conditions as the crofters of Elgin and Nairn are living under. I do not care to put the House to the trouble of a Division upon this occasion; indeed, I only make these observations for the purpose of inducing the Government between now and the Committee stage to consider the desirability of extending the operation of the Bill.

MR. T. M. HEALY (Longford, N.): I feel bound to protest against the proceedings in respect to this Bill. It was only at 3 o'clock yesterday morning that the Bill was read a first time, and yet it is now sought to take the second reading. I shall not for a moment attempt to block this measure, but only take note of what is being done. I should like to ask you, Mr. Speaker, for the protection of hon. Gentlemen, if, under the circumstances, a verbal objection were taken to proceeding with the Bill now, it would not act in the same way as a block under the half-past 12 o'clock Rule. I approve of the Bill, which is, no doubt, intended to repair an oversight.

MR. SPEAKER: In reply to the hon. and learned Gentleman I have to say it is not so. A verbal block would apply only to Notice of Motion.

MR. T. M. HEALY: Then, Mr. Speaker, I will ask, for my own information, and also for the information of other hon. Members, is it the Rule, that if a Bill be put down on a given date—I think the first reading of this Bill was only obtained at 3 o'clock this morning—if the second reading was put down without Notice, that any hon. Member could not have blocked it, that there was no possibility of blocking it, that a verbal Notice would not block it? Is that the Rule, Mr. Speaker?

MR. SPEAKER: That is the Rule. The responsibility, of course, does not rest with me.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I may, with the courtesy of the House, be allowed to say with reference to this Bill, that there is no intention—I believe the hon. and learned Member for North Longford (Mr. T. M. Healy) will at once see—in any way to steal a march upon any Members of this House. The sole reason why this Bill was put down, as it was, for second reading to-night was the belief of the Government that there was a general desire that the Bill should pass. It is particularly well-known to hon. Members from Scotland, and more particularly to those hon. Members who are specially interested in the crofters, that such a Bill was in "another place," that it had passed through "another place," and it was their desire that the Bill should be brought forward and passed through Parliament. That being so, I, acting on the part of the Government, put the second reading down for to-day. With reference to what has fallen from the hon. and learned Member for Elgin and Nairn (Mr. Anderson), I will say this, that the Government are not prepared to have this Bill made a vehicle for large Amendments of the scope of the Crofters Act of last year. There is no possible hope of a Bill with large Amendments widening the scope of that Act being passed this Session, and certainly the Government have no intention of introducing such a Bill. This Bill is for one purpose, and one purpose only. It is to correct one or two slight errors which were made in the passing of the Act of last year for the advantage of the crofters—errors which were quite unintentional, and which both sides of the House, I believe, are anxious to correct. It is solely for the purpose of preventing what would be unfair to the crofters and to carry out the intention and scope of the Act of last year. To load or overweight this Bill with other matters would simply mean that it would not be possible it should pass.

MR. BROADHURST (Nottingham, W.): It is not my intention to offer the least objection to the second reading of this Bill to-night; but I think the hon. and learned Gentleman (Mr. T. M. Healy) has done good service in calling attention to the very abrupt manner in which this Bill has been brought before the House. I understood that the Bill was not yet printed; and it is only within the last 10 minutes that I have ascertained that copies were obtainable in the Bill Office. It is not sufficient to say a Bill has been for some time before the House of Lords. Many Bills are before the House of Lords of which Members of this House have no knowledge whatever. We have no means of ascertaining anything about it; and I wish to call attention to the fact, and to mark it, that the Government have done

this sort of thing not only to-night, but they have obtained second readings on one or two other occasions in a very remarkable manner indeed; and I wish to contrast the conduct of the Government in this respect with their conduct in blocking, adjourning, and defeating every attempt of private Members on this side of the House. When we sit up night after night, waiting here week after week, to move forward very important questions a stage, we are always defeated by the weight of numbers, without argument or explanation; yet the Government is constantly taking the House by surprise, and getting measures of great importance forward like the present one. From the speech of my hon. and learned Friend behind me (Mr. Anderson), it is evident that many Scotch Members are strongly of opinion that this Bill should be considerably enlarged, because if it is not enlarged, it will only alleviate one portion of a very great and widespread evil instead of dealing with the whole question.

DR. TANNER (Cork Co., Mid): I certainly would impress upon right hon. Gentlemen opposite that the method which they have hitherto pursued in bringing on the *tapis* at an extremely late hour of the evening Business in the way they have hitherto done, in order to prevent due Notice of opposition, Notice of opposition which they themselves take the fullest advantage of — that that method is one which is extremely unfair to hon. Members of this House. I see an hon. Gentleman (Sir Herbert Maxwell) —I do not know whether he is a right hon. Gentleman yet—opposite me. All I know is that the name of the hon. or right hon. Gentleman, as the case may be, is down again and again in connection with the blocking of many and many Bills; and I think the Government might bear in mind the fact that every measure that has been introduced in an open, not in a secret way, but in a *bonâ fide* manner, by hon. Gentlemen sitting below the Gangway on this side of the House has been persistently blocked by the hon. Gentleman and other hon. Members on the other side of the House. It is unworthy of any Government, no matter how weak, no matter how lame, no matter how crushed; and, Sir, I shall certainly say that, instead of behaving in this way, they should behave in a more worthy manner. I know, for instance, that the right hon. and gallant Gentleman the Parliamentary Under Secretary for Ireland (Colonel King-Harman) at the present moment is waiting to introduce a Bill. I have waited here night after night, and I am ready for him at any time; but really, Mr. Speaker, and I am not going to say much more, instead of going on resorting to this feeble subterfuge, I think it would be better for the Government to behave in a way which is worthy of a Government.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

MOTIONS.

—o—

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (DUNTOCHER AND DALMUIR WATER) BILL.

On Motion of The Lord Advocate, Bill to confirm a Provisional Order, under "The Public Health (Scotland) Act, 1867," relating to Duntocher and Dalmuir Water, *ordered* to be brought in by The Lord Advocate and Mr. Balfour.

Bill *presented*, and read the first time. [Bill 288.]

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (COWDENBEATH WATER) BILL.

On Motion of The Lord Advocate, Bill to confirm a Provisional Order, under "The Public Health (Scotland) Act, 1867," relating to Cowdenbeath Water, *ordered* to be brought in by the Lord Advocate and Mr. Balfour.

Bill *presented*, and read the first time. [Bill 289.]

PUBLIC PARKS AND WORKS (METROPOLIS) BILL.

Ordered, That Mr. Stansfeld, Mr. Baggallay, Mr. Lawson, and Mr. Plunket be Members of the Select Committee on Public Parks and Works (Metropolis) Bill.—(*Mr. Plunket.*)

House adjourned at ten minutes after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 15th June, 1887.

MINUTES.]—SELECT COMMITTEE — *Report* — Admiralty and War Office (Sites) [No. 184].

PUBLIC BILLS—*Second Reading*—Hares Preservation * [4], *debate further adjourned.*

Committee—Criminal Law Amendment (Ireland) [217] [*Eighteenth Night*]—R.P.

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (No. 6) * [281].

Third Reading — Gas* [249]; Local Government (Ireland) (Limerick Water) * [236]; Local Government (No. 3)* [268]; Local Government (No. 4) * [269], and *passed.*

ORDERS OF THE DAY.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 217.]

(*Mr. A. J. Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 14th June.*]

[EIGHTEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

DANGEROUS ASSOCIATIONS.—ARMS.

Clause 6 (Special Proclamation putting into force the enactments of this Act relating to dangerous associations).

MR. MAC NEILL (Donegal, S.): I again ask the Question of the Treasury Bench which I have repeatedly asked before but have received no answer—Is there, in Ireland, a Cabinet separate and distinct from the British or English Cabinet? I asked this Question categorically the day before yesterday. I got no answer, nor do I expect any; but, as I believe the people of England are profoundly ignorant of what the Irish Privy Council really is, I now support this Amendment to leave out the words "by and with the advice of the Privy Council." This course will give me the opportunity of stating to the British public what the Irish Privy Council is and what it is not. Frequently, during the course of this Bill in Committee, I have been reminded very strongly of the words of Mr. Fox, spoken in this House, nearly a century ago, when he said that, so far as he could judge, it was the aim of the British Government to make the Irish Constitution a kind of mirror in which all the vices and defects of the British Constitution were strongly reflcted. Now, let us see how that applies in reference to the Irish Privy Council, which, in some degree, is analogous to the British or English Privy Council. We know the English Privy Council, in its larger capacity, consists of a great number of Gentlemen of different thought collected together, and that they discharge statutory jurisdiction, while the Judicial Committee of that Council, which is, I believe, a descendant of the Star-Chamber, is a Court of Appeal in reference to Colonial affairs; but the Irish Privy Council we find to be an entirely different and distinct body. The distinction is seen by contrasting the two systems prevailing in England and in Ireland. To entirely different offices, the same name is given. On a former occasion, I said no two offices could be more distinct than the post of Attorney General for England and the post of Attorney General for Ireland, and no two Bodies can be more distinct, I now say, than the two Privy Councils of England and Ireland. I have studied in some respects this matter, and I have done my very best, before I had the honour of a seat in this House, to discover what the Privy Council in Ireland was, and I have found it very difficult, by patching together particles of information, piecemeal here and there, to show what its functions are. The only thing the public know about it is, I believe, that its meetings are announced in *The Dublin Gazette*. I have never seen *The Dublin Gazette*, and my hon. Friend the Member for Swansea Town (Mr. Dillwyn) says that he has been 32 years in this House, but has never seen it. I believe the fact of a meeting of the Privy Council is announced in *The Dublin Gazette* and copied into other papers; but, practically, we know nothing of its proceedings. This is a matter in which the Irish Government, for reasons best known to themselves, keep the public scrupulously in the dark. It is a pernicious system of mystification and secrecy, a kind of divinity that doth hedge round the officials of Dublin Castle and communicates itself to the Councillors. The Lord Lieutenant first of all, must be satisfied, according to this section, that the association to be proclaimed is a dangerous association; here we have a distinct divergence from the provisions of Section 5, as in Section 5 he need not be satisfied at all. In this 6th Section there is an initiatory stage; he must be satisfied by some process, of which no one knows anything, of the necessity of the Proclamation, and having attained that state of satisfaction he is to go to the wise body called the Privy Council. There are two things a man can always do, he can find out what he ought to do, and having found that out, he can find out a reasonable excuse for doing what he likes. When the Lord Lieutenant has found out what he wants, the Privy Council will give him every possible

reason for doing what he likes. It is the old Homeric story over again, but in this case the advice given will depend upon the wire-pullers of Dublin Castle. My difficulty is, that if I give the simple facts, Englishmen will consider my statement to be overdrawn, as everything is so different in the two countries. The whole system of government in England and in Ireland is so distinct and different that Englishmen cannot realize the enormous chasm that separates the English Government from the Irish Government. I now come to the Privy Council by whose advice the Lord Lieutenant is to act. I find that it consists of no less than 54 wise men who represent all shades of politics and opinion. It is as much a patchwork Body as the 14 wise men who line the Treasury Bench. We find Unionists, Catholics, and all sections of politics and religious opinions represented in the Irish Privy Council. One peculiarity of this Body shows the method of English Government in Ireland. As I would wish to be right about this, I would ask the Chief Secretary for Ireland to inform me if I am wrong. The Privy Council in Ireland first consists of the Lord Lieutenant, who, when he vacates his Office, ceases to be a Privy Councillor; but when the Chief Secretary vacates his Office, he remains a Privy Councillor. Then there are certain ceremonial personages members of the Privy Council—I do not use the phrase in any offensive way—I wish to know whether a summons is sent to those ceremonial personages to attend its meetings? The Prince of Wales is a Privy Councillor; but I do not know whether they ask him to attend. Then there is the great Prince Edward of Saxe-Weimar, who has interfered in regard to the "Plan of Campaign." Now I come to the constitution of this Body. I find out there are no less than 11 ex-Chief Secretaries—I do not include the present right hon. Gentleman the Chief Secretary, nor do I include the right hon. and gallant Gentleman who fetches and carries for the present Chief Secretary (Colonel King-Harman). Some of these Gentlemen who are ex-Chief Secretaries have not been in Ireland for many years, as far as I can see, and have never taken any part in Irish politics for upwards of 30, 40, and 50 years. One of these Gentlemen I did not know until I went to the Directory; I could not understand why Lord Cottesloe was a Member of the Privy Council until I looked and found he was formerly Sir Thomas Freemantle who, for a few months in 1846, held the Office of Chief Secretary, and was a Member of the Privy Council for ever afterwards. [*A Laugh.*] The Lord Advocate may well laugh. This Gentleman—who has been out of the country for 45 years—is to give advice to the Lord Lieutenant. Then I come to another individual, a Lord Winmarleigh, whom I find was a certain Colonel Wilson-Patten. I remember the circumstances under which he was appointed Chief Secretary. The late Lord Mayo was appointed Governor General of India just upon the downfall of the Disraelian Administration, he having been Chief Secretary at the time. There was a question whether he should not be recalled from India, and the person appointed as his Successor to the Chief Secretaryship was, to the best of my recollection, this Colonel Wilson-Patten, having held Office for a few days, he is another component part of this great Privy Council. Among the Chief Secretaries we have the whole range of politics, and all of these, according to this Act, must, in concert together, advise the Lord Lieutenant. What a happy family this Privy Council will be! We have, also, Lord Carlingford, Sir Michael Hicks-Beach, the present Sir Robert Peel, and the right hon. Gentleman the present Chief Secretary, who seems in a fair way to emulate the most unpopular holder of the Office, the right hon. James Lowther. The advice of all these Gentlemen must be solicited. Then there is Sir George Otto Trevelyan. How well Sir George Trevelyan will work with the present Attorney General and the Parliamentary Under Secretary. I hope we shall not have anything approaching a political Donnybrook fair. This is the system that prevails in regard to the Irish Privy Council. It does not deceive us, and will not deceive the Liberal Party if we can help it. I must now consider those whom I look upon as the ornamental Chief Secretaries. Of these the right hon. Gentleman the Member for the Dartford Division of Kent (Sir William Hart-Dyke) will be called upon to give advice; but I do not think there will be much in it. He was Chief Secretary during what I may call the Car-

narvon Home Rule incident; but as he knew nothing of that, and had very little hand in Irish public affairs, we can pass him by. But now I come to a Gentleman whose name will be celebrated hereafter as the Irish Chief Secretary who was able to solve the Irish problem in six hours. This great statesman is the First Lord of the Treasury, of whom I always speak with bated breath. Other statesmen have gone down to posterity canonized for great qualities, but he will go down to posterity like another Atlas with the cares of Office as Chief Secretary, for six hours, on his shoulders, and holding the sand glass in his hand representing clôture. I hope they will take his advice among these 54 Privy Councillors. Having disposed of the variegated lay Body of perfections, this kaleidoscope representing all the colours of the political rainbow, and some too strong even for the officials of Dublin Castle, I now come to the judicial Members.

THE CHAIRMAN: I have no power to control the discretion of the hon. Member if he persists in going through the Members of the Irish Privy Council, name by name; but I think it would be more respectful to the Committee and more consistent with the conduct of Business, if he would approach the real Question, instead of indulging in vain repetitions.

MR. MAC NEILL: I was only going to show the inconsistency of having the advice of such a Body. I am only too delighted to be controlled by you, Sir, as I have received nothing but fairness and consideration at your hands; but I wish to show that the advice of a body of gentlemen should not be sought who differ among themselves in politics, feelings, thoughts, and wishes. And now I come to the judicial element. Here there are 19 Gentlemen who are either Judges or have been Judges in Ireland. In England a Judge, with the exception of the Lord Chief Justice, is never a Privy Councillor at all, except when on retirement from the Bench he is sworn of the Privy Council as a compliment. Here the right hon. and learned Gentleman the Attorney General for Ireland is always a Privy Councillor, and Judges who are not appointed from the Attorney Generalship have been made Privy Councillors; and these help to constitute the 54 Gentlemen who form the Privy Council. According to this Bill, if it means anything at all, the Lord Lieutenant, having satisfied himself in some mysterious way, is to act on the advice of these 54 Gentlemen. But how are they to give advice? I ask the right hon. and learned Gentleman the Attorney General for Ireland if any summons is ever given to the ex-Chief Secretaries, to the ornamental Noblemen, to the Gentlemen who have been away from Ireland for the last 40 years, who compose the Privy Council? The mistake that occurs is this—in England, when we hear of the Privy Council, we, of course, understand it to mean the English Cabinet, or the Committee of Council; but, in Ireland, we do not know what it is; we have only the names of the members, and do not know what their functions are. I would ask another question which weighs upon the minds of the people of Ireland as to the Privy Council. The present Lord Chief Justice of Ireland thought it right to state that the Irish Judges who were Members of the Privy Council never advised criminal proceedings; but I wish to ask if the Irish Judges, who will afterwards have to administer the law, will be asked to advise the Executive Government in reference to this 6th section or not?

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): No, Sir; they will not be asked at all.

MR. MAC NEILL: That is very satisfactory.

MR. HOLMES: The same answer was given a night or two ago.

MR. MAC NEILL: I am delighted to think that in this Act, at all events, the Judges will not twice be subjected to the humiliation of acting in an administrative capacity at the beck of the Government. Why should you not, instead of this Body of 54 Gentlemen, who never attend, and know nothing about the matters referred to them, have the responsibility placed upon the proper shoulders; why not have the advice of a Committee who should be selected from the Cabinet to sit upon Irish affairs? That would completely meet the difficulties of the case. But is this necessary at all? What is the benefit of having the advice of an indefinite body of persons who are ignorant of Irish affairs, and are not responsible? It is of

no benefit whatever; it is simply to give a white-washed air of seedy respectability to this Bill. I do not think that the hon. and learned Solicitor General for Ireland, or any hon. Gentleman, will deny what I say, that the insertion of the Privy Council is a mere affectation. It does not mean the 54 Gentlemen who compose that Body, and I do not know what it means. In the whole of this Bill there is a meladroitness of draftsmanship which is very remarkable. The draftsman, not knowing the circumstances of Ireland, seems to have framed this Bill on certain English precedents. We all know what the Privy Council means in England; but we do not know what it means in Ireland. On these grounds, I consider this Amendment should be accepted. I never saw such a contrast in these matters as in this Bill and the Criminal Code Procedure Bill. That gave definitions framed with thorough accuracy and care; this Bill is slipshod from beginning to end. In the Criminal Code Bill every word and line were considered; here the clauses are shovelled together. Upon all these grounds, I think the Amendment should be accepted, and that the people of England and Ireland should know who is to advise the Lord Lieutenant. I would ask the Chief Secretary or the Attorney General for Ireland to give me a simple statement who these men are? The Attorney General says 19 of these Gentlemen are not included. Of the *residuum*, four or five are ex-Ministers, others are mere ornamental personages, and two-thirds of them know nothing of the country or of Irish affairs.

Amendment proposed,

In page 5, lines 11 and 12, to leave out the words "by and with the advice of the Privy Council."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CLANCY (Dublin Co., N.): I must complain of the Liberal Unionists putting down Amendments which they never intend to propose. This is the second time the right hon. Member for Great Grimsby (Mr. Heneage) has put down an Amendment, and, for the second time, he has run away when the time came to move it. The sooner we have done with performances of that kind the better. The Lord Lieutenant, under this section, is to say whether any particular association is dangerous or not; and, therefore, if he is competent to tell whether a particular association is dangerous or not, why should it require the aid of the Privy Council to issue a Proclamation declaring his own opinion? The thing is preposterous and absurd, and I do not wonder that even a Liberal Unionist saw the absurdity of the thing, though I would like to ask the Attorney General if he can state why it is necessary the Lord Lieutenant should have the aid and advice of the Privy Council in issuing a special Proclamation, when he has by his own unaided authority the power to declare an association to be dangerous?

DR. COMMINS (Roscommon, S.): This Amendment was put down by the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) by way of a stalking-horse, to prevent argument upon the question by putting down Amendments that it is not intended to propose at all. Yesterday we were told the one good quality in this clause in the Bill was that it provided for a supervision of the acts of the Lord Lieutenant by some mysterious process of this House, and that the Proclamation should be laid before the House, and a kind of Parliamentary supervision should attach to it; but this provision, which is stuck in at the beginning of the section, completely nullifies that responsibility. Anyone knowing anything of the law in Ireland knows that no such thing as Parliamentary or other responsibility exists or attaches to the Executive in Ireland; that they are as irresponsible as the head of an Indian tribe; that they do what they like, and are responsible to no one. I should like to know if there is any way of finding out who were the parties who were supposed to have concurred in advising, or to have assented to the views of the Lord Lieutenant, when he has made up his mind to issue a special Proclamation, establishing despotism all over Ireland in the matter of some associations? There is no way of finding it out; they are all pledged to secrecy, and there is no record kept. We had a very humorous description of the Irish Privy Council given by an hon. Member some time ago, who described it as a mystical body with a head, but no members, without any record of its proceedings, no method

of summoning the Council together, and with a Lord Chancellor walking in as a gentleman might walk into his kitchen, to see if the servants were doing their work. There is no record kept of their proceedings, and if we are to be subjected to a despotism let us know it. ["Hear, hear!"] Yes; we know it too well, but let the world know it; do not be ashamed of establishing a Roman despotism in Ireland, but let the world know it. Let the Lord Lieutenant have the courage, or let his subordinates have the courage of answering for him, and do not let them throw the responsibility upon this shadowy and irresponsible body, the Privy Council. No doubt, the right hon. and learned Attorney General for Ireland will say he has heard all this before. So he has, and he will probably hear it again. The question is not answered by his telling us that, any more than if he had sat silent. He may say that he has answered our questions before; but the wonderful thing is that, though he goes through the formula, we find no trace of an answer. I am afraid he will have to listen to us again and again, unless more attention is paid to our arguments.

MR. P. J. POWER (Waterford, E.): Upon this question of the Privy Council we have had a reply from the right hon. and learned Attorney General for Ireland to our remarks, to the effect that the scandals of past years will not be continued in the future. We have maintained that these Privy Councillors meet, go into the merits of a case as displayed from one side of the question, and decide upon that, and having thus formed their opinion they, when a prosecution is instituted, proceed to adjudicate thereon. The right hon. and learned Gentleman has stated that such is not to be the case.

MR. HOLMES: It never has been the case.

MR. P. J. POWER: But the vast majority of the Irish people have formed quite a different opinion, and the right hon. and learned Gentleman must acknowledge there is foundation for inferences leading to the formation of that opinion. Now we are obliged to ask for some guarantee that such a scandalous state of things shall not continue in the future. We have heard very much during the course of these debates about the maintenance of law and order; but I say if you want respect for law and order you must make law and order worthy of respect, and the law of the Privy Council is not worthy of respect—it is instituted upon a disgraceful state of things. We accept the words of the Attorney General for Ireland; but still we consider that it is our duty to press for a guarantee that what he says shall certainly be the case—that if in future we are to be deprived of our Constitutional liberties, that Judges shall not, in the first place, meet in Council and originate the law, and then come down to the Courts of Justice and inflict grave penalties on those whose cases they have prejudged.

MR. MAURICE HEALY (Cork): I think my hon. Friend the Member for South Donegal (Mr. Mac Neill) has demonstrated the fact that the Privy Council is divided into two portions—the useful and the ornamental; and that, in the first place, the vast bulk of that body consists of what I may call accidental Members—Members who, for some temporary reason, have been added to the Council, but who have never taken any effective part in the deliberations of that Body. For instance, Members have been added to the Privy Council because, like the present First Lord of the Treasury, they happened to fill the Office of Chief Secretary for a day or two, and as a necessary complement to their position they were straightway made Privy Councillors. This is what we may call the ornamental portion of the Council, and if the whole of the Privy Council were constituted in that way, I, for my part, would be prepared to say that the Privy Council was an unobjectionable Body, harmless and useless as any Body in England, except so far as their judicial functions were exercised upon judicial matters. But, unfortunately, in addition to the ornamental Members of the Council, there is a *residuum* of actual working Members, and our complaint is of these Gentlemen who really constitute the Privy Council in Ireland, these are the effective Privy Council, and we have seen from the speeches we have heard from what class of the community, from what class of Irish society, this section of the Privy Council is drawn. I do not pretend to go through the long catalogue of the Irish Privy Council, or to mention the acting, working portion of it. They

have been frequently alluded to in the House, and I do not think any useful purpose would be served by further adverting to them. But we may sum up in a word by saying that the Parliamentary Under Secretary for Ireland is one of those Members, and may be taken as a typical Member. That being so, even hon. Members sitting opposite can judge of the composition of that Body by this typical instance. *Ex uno disce omnes.* If it could be said that the Irish Privy Council is in its composition or working anything analogous to the English Privy Council, I, for one, would take no objection to it in this or any other department of Irish political life. But what we complain of is, that the Irish Privy Council of the present day is what the English Privy Council was a century ago; in fact, a sort of informal Cabinet, a Cabinet advising the Lord Lieutenant, and on whose advice the Lord Lieutenant acts at all serious political junctures. I would ask English Members to consider this—what would they think if in this country when Her Majesty takes upon herself to form a Cabinet of Advisers, she drew those Advisers from the ranks of the beaten political Party in this country? What would they say, if after the last General Election, when the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) was beaten at the polls, Her Majesty in forming a Cabinet persisted, in the face of the expression of the opinion of the whole English people, in keeping that right hon. Gentleman in Office, and drawing his Colleagues solely from Members of the Home Rule Party? But that is exactly the position of the Irish Privy Council. It is an Irish Cabinet, and it is not only largely, but exclusively drawn from the political section which has over and over again been defeated at the polls, and almost completely driven out of Irish political life, except in the North-Eastern corner of the Island, and which, in no sense of the word, can be admitted to be representative of the views of the Irish people on any political, social, or religious question. Now, it is a wonderful thing that hon. Members, who go about the country telling the English people that their one consuming desire is, that there should be equal laws governing the two countries, drop out all mention of a system not only not similar to the English system, but the very antithesis and opposite of that system. In England, respect is paid to popular opinion when pronounced; but if in Ireland we by our action at the polls declare our opinion that certain Gentlemen do not represent our views on political questions, that declaration of our people, that in itself is taken as conclusive reason why those Gentlemen should be translated into Privy Councillors, and constituted Advisers of the Lord Lieutenant. Now, that is an intolerable state of things, and I do say that hon. Gentlemen who profess it to be their desire—I suppose sincerely—that the Union between the two countries should be preserved in its present form, are taking a very queer way of bringing that result about, of obtaining their end when by speech, vote and action, they prop up a system in Ireland based on principles contrary in every respect to the principles that obtain in this country.

MR. CHANCE (Kilkenny, S.): I believe there was once a Roman Emperor who made his horse a Consul. I do not know whether he consulted the animal; but he laid down a precedent that seems to have been followed and improved upon in the constitution of the Irish Privy Council. Half of this body consists of dignified Tory asses——

THE CHAIRMAN: Order, order! If the hon. Member persues that vein I shall have to take Notice of it.

MR. CHANCE: I do not know, Sir, whether I am out of Order in referring to the composition of this Body; but I understand the Amendment raises the question whether the Lord Lieutenant should act by and with the advice of the Privy Council. Am I entitled to discuss the composition of that Council?

THE CHAIRMAN: I have already intimated during the speech of the hon. Member for South Donegal—I do not know whether the hon. Member was present?

MR. CHANCE: No, Sir; I am sorry to say I was absent.

THE CHAIRMAN: I told the hon. Member for South Donegal that I had no power to control the discretion of the hon. Member if he persisted in going through the list of the Privy Council commenting upon each name; but that I thought it would be more consistent

with respect to the Committee and the progress of Business if he did not pursue that line of criticism.

MR. CHANCE: I understand, Sir; it is undesirable to discuss the composition of the Privy Council, and I bow to your admonition. We know it is undesirable to discuss it, for there is only one method of discussing it, and that apparently will not be dignified or consistent with the convenience of the Committee. But I may say that the composition of the Privy Council and its influence is most objectionable to the people of Ireland. We know the Councillors meet when they like, and do what they like; and at the time when the Lord Lieutenant leaves the country for private purposes of which we know nothing, we know the Great Seal goes into Commission, and a select number of the Council become absolute rulers of the country. The Attorney General is fond of alluding to the whole and undivided responsibility that will rest upon the Executive Government for the operation of this Act; but then, again, it appears they will share the responsibility with this shadowy mythical Body; while, at the same time, the Government declare that this Body will perform no useful functions under the Act. It seems idle to expect that our arguments will be met; and I hope, therefore, we may go to a Division, and I hope we shall have an opportunity, in "another place," where the Rules of Order and the necessity for going on so fast is not so urgent, to discuss the formation and composition of this useless Body.

SIR WILLIAM HARCOURT (Derby): I would suggest that we should pass on to some other subject. The real truth is, that the question of a thing being done with the advice of the Privy Council in Ireland is not material. It is well known, both in England and Scotland, that there are certain acts which, for purpose of greater solemnity, are supposed to be done by the "Queen in Council." I do not know whether anybody imagines that these acts are done after the Council is called together to discuss them. The fact is, the act is the act of the Department, and for which the Head of that Department is responsible. For purposes of greater solemnity and circumstance in matters of higher importance, a thing is declared to be done by the Queen in Council; but it is not the act of the Privy Council. Those who have occupied positions of responsibility know that the passing of an Act in Council is a mere formality, and that the whole responsibility rests with the Minister to whose Department the Act belongs. It is not material to discuss this point. We all know that the Privy Council in Ireland performs the same functions as the Privy Council in England to which I have referred. It is merely designating the act as one of particular solemnity and importance to declare that an Order or a Proclamation is promulgated by the Queen or the Lord Lieutenant in Council; it is a formal act for which the Ministry is responsible.

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): Before we go to a Division, let me just point out how time has been occupied within the period the House has allotted for this discussion in Committee. For an hour before 2 o'clock this morning, and for another hour since we met to-day, have hon. Members kept up a discussion on this wholly immaterial point. It has been raised two or three times previously, and answers have been given to the same effect as that we have just heard from the right hon. Gentleman the Member for Derby, and precisely the same language was used by the right hon. Gentleman the Member for Newcastle-upon-Tyne on May 27, 1886, when the same phrase was introduced into the Arms Act, that the action of the Privy Council was merely formal, but that it was the form which the Legislature had from time to time deemed it desirable the Lord Lieutenant should employ in issuing a Proclamation. Two or three nights ago the same point arose when my hon. Friend the Attorney General (Sir Richard Webster) was asked about the action of the Judges in such matters, and my right hon. Friend answered there was nothing of the kind; and I have said the same thing myself on more than one occasion. The discussion was continued last night until Progress was reported; and to-day we have the same speeches again and again, the hon. Member for South Donegal (Mr. Mac Neill) going through and analyzing a long list of Privy Councillors, until you, Sir, called his attention to the fact that, though you could not control his discretion, the course he adopted

was certainly unbecoming. His example has been followed. I mention this in face of the accusations freely made against the Government that they have restricted the time for the discussion of material questions.

MR. DILLON (Mayo, E.): I do not know whether we are going to have a Division now; but I may mention that, when the Leader of the House moved to report Progress yesterday, he acknowledged we were upon a discussion that would probably occupy some time ——

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): The hon. Member will excuse me. I observed that one or two Members rose to speak, and I thought it unreasonable that the Committee should continue a long Sitting in view of the fact that we were to meet at an early hour this day. That was my sole reason; not that I attached high importance to this point.

MR. DILLON: I find no fault with the right hon. Gentleman for moving to report Progress; but in doing so he made no protest, and seemed to anticipate that the point raised would last for some time. I do not propose to continue that discussion now, and do not rise for that purpose, but to say a word or two in reply to the Attorney General for Ireland. He finds fault with us that we persistently discuss the question of the Irish Privy Council whenever it turns up. We mean to continue to do so, and for the reason that it is only in this indirect way we can arrive at any discussion of the machinery of the Castle at Dublin. It is not in the slightest degree an answer to us to say that it is a merely formal matter, and that Proclamations have been issued in this form from time immemorial; our contention is that the Castle at Dublin has been a curse to the country. We feel very strongly on this matter, and this is why we are forced to assail the Castle machinery and take advantage of every direct or indirect opportunity to expose, as well as we are able, the pernicious character of that machinery. I wish to call the attention of the Committee to the fact that the Government do not seek and have not sought to make any defence for the existence of the Irish Privy Council. If the Irish Privy Council be a mere formality, if it is an utterly useless body, as in the contention of the Government it is, for it has really no functions to discharge——

MR. HOLMES: Allow me to say that it is not so. The Privy Council have most important duties to discharge, and the right hon. Gentleman the Member for Newcastle-upon-Tyne referred to these on the occasion to which I have referred in May, 1886. The Council have many and important judicial functions under various Statutes; but there are cases both in England and Ireland where their action is purely formal.

MR. DILLON: That only shows the importance of the question underlying this Amendment. If the action is to be merely formal in this matter, and if the name of the Privy Council is disliked and distrusted by the people of Ireland, why in the name of goodness wrangle over the name—why not drop it if it serves no purpose? But we do not believe this. We believe that, notwithstanding all that is alleged by the Government, that the Privy Council does exercise a certain malign influence at Dublin Castle. It is said the action of the Body is merely formal; but Members of it gather round the Lord Lieutenant and the Chief Secretary for the time being, and by the mere fact of their existence as a Body with a consultative voice, and their knowledge of the country and Irish matters, they exercise influence over the English officials. We object to that. Then we are met with the reply that these words in the clause are practically valueless, that the action of the Privy Council is merely formal. This is no argument or defence, and therefore we prolonged the discussion. This and all other discussions on the point would be avoided if you struck out the Privy Council altogether from the Bill. The only reason you give us for not doing so is that it has been retained from time immemorial; that is your contention when Dublin Castle has become the mark for the abuse of every section of English politicians! Is it because this is an old red tape formula, that without any other consideration it is to be rammed down our throats? Why persist in retaining these words, and at the same time ask the Committee to believe that the Privy Council will have no influence? View it in a common-sense manner, and if the words are useless, drop the words. I do not desire that the Committee should go on with the discus-

sion now; but I give the Government warning that upon every introduction of any provision for the Irish Privy Council taking part in the functions of government, they may expect a prolonged discussion.

MR. CHANCE: The right hon. and learned Attorney General for Ireland has referred to the speech of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) on introducing the Arms Act; but I would point out that, in that case, there was an important difference. We knew perfectly well, that with the then Government in Office, that the Privy Council, which it is irregular to criticize in any manner——

THE CHAIRMAN: Order, order! I have given no such ruling as that.

MR. CHANCE: Which you, Sir, consider it is more advisable not to criticize in detail, an intimation we desire to accept. We knew that this Privy Council would have no influence whatever over the then Government. But the position now is quite different. Even though the Council may not meet from day to day to originate and organize a policy of repression against the rights of the Irish people, yet they retain a *locus standi* from their constitution, and will use their influence to extend the system of oppression. In face of the intimation that it is undesirable to criticize in detail the composition of that Body, it is idle to continue the discussion or go to a Division, and I will, therefore, ask leave to withdraw my Amendment.

MR. CLANCY: I simply rise to say, with reference to the lecture we have received from the right hon. and learned Attorney General for Ireland, that we have listened to it with the greatest possible composure. I hope he will allow us to tell him that we believe we know our own business best, and repudiate his right to lecture us on any subject whatever. If there was ground for any lecture at all, it should have been administered to his own supporter—that eminent Liberal Unionist (Mr. Heneage)—who first placed this Amendment on the Paper, and then, in a manner characteristic of his Party, ran away from it. But if he ran away from his Amendment, that was no reason why we, having put a similar Amendment down with full consideration, should run away from ours.

Amendment, by leave, *withdrawn*.

MR. P. McDONALD (Sligo, N.): As we have got the assurance that the Judges will not sit at the Council Board, it is not necessary for me to move my Amendment.

MR. CHANCE: I do not propose to move my Amendment if I have any intimation that it is the intention of the hon. and learned Member for Inverness to move his.

MR. FINLAY (Inverness, &c.) said, it was his intention to do so.

MR. CHANCE: Then, I do not move.

MR. MAURICE HEALY: I am prepared to take the same course, and I hope this action of my hon. Friends and myself will be properly appreciated by those opposite who perpetually charge us with waste of time. It is unnecessary for us to move or discuss Amendments in a similar sense when we know that another Amendment is arranged for acceptance, and whatever we might urge in favour of our own Amendment the result will be the same in the end. It will, therefore, serve no purpose for me to trouble the Committee when the Government have decided.

MR. FINLAY (Inverness, &c.): I rise to move the Amendment that stands in my name. I stated my reasons fully last night, and do not propose to repeat them now.

Amendment proposed,

In page 5, line 12, to leave out from the word "declare" to the word "expires," and insert the words "to be dangerous any such association or associations named or described in such proclamation."—(*Mr. Finlay.*)

Amendment proposed, "That the words proposed to be left out stand part of the Clause."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): We accept this; it is consequential on the Amendment agreed to last night.

Question put, and *negatived;* words *left out.*

Question proposed, "That those words be added."

MR. MAURICE HEALY (Cork): I beg to move to amend the Amendment, by striking out the words "or associations." I do not think it would be a proper thing for the Government to do to take on themselves to suppress what might be associations of a widely

different character by one Proclamation. For instance, this might arise—that a Government, if an impartial Government, might take on itself to say—"Here in one county is a Nationalist Association—a very strong one; and here again is an Orange Association—a very strong one; and we, by one Proclamation, will suppress both." Then, when the Proclamation comes before Parliament, it is understood as a Proclamation which stands as a whole, and you cannot enter into a discussion as affecting one single association. What I propose is this—that if the Government want to suppress the different associations they shall do so by distinct Proclamations. There is nothing unreasonable in that. If they want to suppress them at the same time no inconvenience will result—Parliament will not have to be summoned more than once. If they want to suppress different associations at the same time, let them issue the Proclamations at the same time. No advantage will be gained by including more associations than one in the same Proclamation, and, therefore, I beg to move to omit the words "or associations."

Amendment proposed to the proposed Amendment, to leave out the words "or associations."—(*Mr. Maurice Healy.*)

Question proposed, "That the words 'or associations' stand part of the proposed Amendment."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) Manchester, E.): I think it will be better to retain these words. Nothing would be gained by the alteration proposed. If Parliament took objection to a Proclamation, it would, of course, fall to the ground.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I cannot think that the proposed Amendment is one of great moment. At the same time I am inclined to support it, because its tendency is to make the act of Proclamation of greater importance and significance. It is perhaps as well that the Lord Lieutenant should not be at liberty to group associations in a Proclamation, and, therefore, I shall support the Amendment.

MR. DILLON (Mayo, E.): I do not at all agree with the right hon. Gentleman the Chief Secretary for Ireland in his estimate of this Amendment. I think it is an important one, and I do not see why the Government should not accept it. Let us look at the practical result of this Amendment, an Amendment which I am very glad my hon. Friend (Mr. Maurice Healy) has had the astuteness to propose. Suppose, what is very likely to occur, a portion of the County of Kerry is the first district to be proclaimed. In that county there is at least one association—the Government may know there are several associations—of a most dangerous and objectionable character formed for the commission of crime and outrage. Now, the Government may proclaim the County of Kerry, specifying in their Proclamation certain associations of Moonlighters and others indicated in the evidence given before the Cowper Commission, and which the police officers refused to name in the interest of public order. We will suppose that there are five or six secret organizations in the County of Kerry for the purpose of committing outrage. Now, the Government may desire to have these associations proclaimed, and they may, as they very probably will, include in their Proclamation the association known as the National League. Now, if there is one thing we protest more than another it is that the National League is inimical and hostile to all associations for the purpose of commiting outrage, and yet it is exceedingly probable the Government will include the National League and other legitimate organizations in their Proclamations. Let me examine how the clause will work, as proposed to be amended by the hon. and learned Gentleman the Member for Inverness (Mr. Finlay). This Proclamation will be laid before Parliament; but it will not be competent for Parliament to interfere with the Proclamation piecemeal; they must accept the Proclamation as a whole or they must reject it as a whole. The Question will be put in this House, will you reject a Proclamation of the Kerry Moonlighters' Association? Now, is that a fair way to discuss matters in this House? It practically deprives this House of all power of criticism in this matter for the Chief Secretary to stand up and say that this House may, if it thinks that an association has been improperly included in the Proclamation, throw out the whole Proclamation, and

then the Government may issue a fresh Proclamation. Was there ever a more clumsy mode of proceeding? The proposed Amendment, which will leave the hands of the Government absolutely free in this matter, provides that if the Government wish to proclaim two or three associations they shall issue two or three Proclamations, so that this House will be able to deal with each Proclamation on its own merits. The proposed Amendment ties their hands in no respect and will leave the House unfettered, and it will protect the Government if, in the minds of the majority of this House, they have made an error. Now, the right hon. Gentleman the Chief Secretary for Ireland has nothing to say against our Amendment, and yet he declines to accept it. The only reason, I suppose, for his not accepting it is that it has been proposed by an Irish Member.

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): I think it is as well that it should be pointed out that, according to the Amendment of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), it will be necessary that each association shall be described in the Proclamation. An observation fell from the hon. Member for Cork (Mr. Maurice Healy) in moving this Amendment to which I think it is necessary to refer. He spoke of the Government including two hostile associations in one Proclamation. Now, suppose the Government came to the conclusion that there were two conflicting bodies or associations differing in politics in Ireland, it would be very desirable to show that in the same Proclamation, and throw upon Parliament the responsibility of accepting or rejecting the Proclamation of both.

MR. MAURICE HEALY: The hon and learned Gentleman takes up a most extraordinary position; but there is one good purpose which would be served by refusing my Amendment, and that is, that the Executive Government in Ireland may put Parliament in a dilemma. The right hon. and learned Gentleman has taken the case which I suggested—namely, the issuing of one Proclamation to suppress at the same time the National League and the Orange Association. He virtually admitted that by taking that course the Executive would place Parliament in a corner, because Parliament could not consider each association on its own merits, but must stand or fall by the whole as a whole. I say that is a monstrous suggestion. The notion, that the government in Ireland is to have this opportunity of putting Parliament in the position of not inquiring whether one of these associations may not be a perfectly legal and proper association, and that if either is a bad association you must suppress both of them, is monstrous. That is, however, the argument of the right hon. and learned Gentleman. But now apply the argument of the right hon. and learned Gentleman to the case put by my hon. Friend the Member for East Mayo (Mr. Dillon), which is a more possible case than that I have just referred to. Let us suppose that there is an association called the Invincibles formed in Dublin, and that the Government very properly wish to suppress it. Well, Sir, at the same time that they do suppress it they may take the opportunity of putting in their Proclamation the suppression of the National League, and then, Sir, the contention of the right hon. and learned Gentleman is this—that if the Government take that course their object will be to place Parliament in the position that they cannot examine the Proclamation, but that if they agree with the Government in suppressing one they must agree to the suppression of both. That is a very frank and candid declaration. It practically amounts to an admission of the whole argument of my hon. Friend the Member for East Mayo, and I respectfully invite an expression of the opinion of hon. and learned Gentlemen who moved this Amendment on this state of things. He seems to have recognized the real circumstances of the present case, he seems to have recognized the fact that this is really a Government Amendment, and he has allowed it to be dealt with by the Government, because he has abandoned the usual course which is taken when an Amendment is criticized and has not attempted to defend his own Amendment. He has allowed that burden to fall upon the real parent of the Amendment—namely, the right hon. Gentleman sitting on the Government Bench. I do not know whether the result will be valuable, but, at any rate, it will be curious to know the opinion of the

nominal author of the Amendment on the point which is now raised. Let it be clearly understood that no possible inconvenience can result from the acceptance of my Amendment. In the case of the previous Amendment it was suggested that inconvenience would result because the acceptance of the Amendment would mean that Parliament would have to be repeatedly summoned to consider what was practically the same question. Nothing of the kind can follow if my Amendment is accepted, because if it should happen that the Government should contemporaneously desire to suppress two separate associations, there is nothing to prevent them doing it by two separate Proclamations and calling Parliament together to consider the two Proclamations at the same time. I can conceive that which the right hon. Gentleman the Chief Secretary for Ireland says is perfectly true so far as the Government is concerned—namely, that nothing would be gained by accepting this Amendment. That I understand to be the sum and substance of the right hon. Gentleman's argument, but however this matter may affect the Government public liberty will gain considerably by the acceptance of this Amendment, and that is the aspect from which we view this Amendment.

MR. FINLAY: I rise to say a very few words in answer to the appeal made to me by the hon. Gentleman the Member for Cork (Mr. Maurice Healy). Before saying them, I desire to say this, that no suggestion can be more erroneous than that conveyed by his reference to me as being only nominally the author of this Amendment. As to his appeal to me in reference to his Amendment I desire to say this, I did not rise to speak to the Amendment of the right hon. Gentleman because I do not wish to speak in this Committee oftener than is necessary, but as he has appealed to me I desire to say, that I do not see that anything can be gained by adopting the Amendment he has suggested. What is desired is this, that if there are dangerous associations in Ireland the Lord Lieutenant should have the power to make orders putting them down, and it is desirable that the Lord Lieutenant should name in his special Proclamation the associations he desires to have power to deal with. If there are several associations in which he wishes to have power to deal, I think he should name them all at once in the same Proclamation, and I cannot see that anything can be gained by having separate special Proclamations as suggested.

MR. CLANCY (Dublin Co., N.): I think that one great value of this discussion is that it teaches us how we are to go about it if we desire to obtain the adoption of an Amendment to this Bill. It is not by arguing an Amendment across the Floor of this House, but by interviewing in the Lobby or elsewhere some Member of the Liberal Unionist Party, because if before moving an Amendment we can get the assent to it of the least important Member of the 76 hon. Gentlemen who keep the Government in Office and power we can get anything we want. [An hon. MEMBER: There are only 70.] I believe there are only 70, but if we can successfully interview one of the 70, be he the smallest in importance in the whole lot, we can secure the Government as well. Now, my hon. Friend the Member for the City of Cork has suggested that the Liberal Unionist Member who proposed this Amendment was not the real author of it, but that the Government were. My opinion is different to that of my hon. Friend. I regard this as a distinctly Liberal Unionist Amendment; the object of it being to confound the several associations in Ireland to which the Government take objection in the one condemnation, so as to discredit, in the minds of the English people, the National League. The best way to discredit the National League is to mix it up with murderous societies, and the object of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) is to enable the Government to accomplish that object. The Government, in proclaiming any branch of the National League, claim the right to involve with it in the same condemnation some murderous society which nobody can defend, and that is precisely the object the hon. and learned Gentleman has in view. I maintain that it is a thoroughly disgraceful object, but I am not surprised at it when I recollect the quarter from which it is advocated.

MR. M. J. KENNY (Tyrone, Mid): When public meetings and counter public meetings were proclaimed in Ulster formerly, it was the habit to issue two separate Proclamations to

prohibit those meetings, and I do not see why that which was the custom of the Government in 1883 should be departed from now. Under the Amendment, as it stands, we might have the extraordinary sight of a Proclamation suppressing at the same time the National League and the Orange Institution. We might have the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson) and the hon. Member for East Mayo (Mr. Dillon) linked together as two evilly disposed persons. So far the Government have given no reason why they should obstinately adhere to the exact words of the original Amendment. I was glad to see that, when he rose, the right hon. Gentleman the Chief Secretary for Ireland was not very dogmatic on the point; but as the discussion went on, and when the right hon. and learned Attorney General for Ireland rose, we found the Government were disposed to stick closely to the words of the original Amendment, though they were unable to find any additional argument in favour of them. What objection can there be to issue separate Proclamations against each separate association that the Government wish to proclaim. Surely there is no extra trouble in the matter to speak of. There is no great extra labour in the Lord Lieutenant or the Lords Justices signing half-a-dozen Proclamations instead of one. They have not very much to do, and I am sure can easily afford the time to affix their signatures to a few additional Proclamations. The real object in the mind of the Government is, whatever the original view of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) may have been, to stigmatize certain associations in Ireland by bracketting them with associations formed for the purpose of committing crime. If you proclaim the National League in Kerry and the Moonlighters in the same Proclamation, the object will be to stigmatize the National League by an alliance with the Moonlighters. I am not going the length of laying the whole responsibility of this matter upon the hon. and learned Gentleman the Member for Inverness. He cannot have foreseen the exact consequence of his own words; but certainly, now that we have explained them, I hope he will see his way to support our Amendment, and I am not altogether without hope that the Government may see their way to change their minds upon the subject. If they did, it would certainly be conducive to a better administration in Ireland.

MR. CHANCE (Kilkenny, S.): It would not be in order to attribute any unworthy motive to the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) in proposing his Amendment, and I would not be inclined to do so, whether it would be in Order or not. But it is a curious fact that, though this Amendment was under discussion for some time, the hon. and learned Gentleman never opened his mouth upon it until he got a lead from the Treasury Bench. Now, I ask the Committee to consider the position of affairs. I admit that the hon. and learned Member may have been actuated by the best motives, and if so, I shall only rejoice very sincerely at his political convalescence. In the speech he made early in the discussion upon this Bill, he called upon the Government to stand by the Bill, and now we find him proposing an Amendment. But we have to deal with the object of the Amendment. Now, the position is this, that certain associations, one, two, or 100, if necessary, are to be specified, or may be specified, in a single Proclamation, and the Government are now taking the power to join in one Proclamation, if they think fit, an assassination society, a national registration society, or a Liberal Unionist club, and to then come down to Parliament and, throwing the Proclamation on the Table, to say, take it or leave it. The Government wish to be able to say, you must take the whole, if not, you will be responsible for the failure of our policy in Ireland. The Government may say that they decline to put the Lord Lieutenant to the trouble of signing several distinct Proclamations of the several associations; but, of course, that is a ridiculous objection to the Amendment, and cannot be sustained for a moment. Then the Government may say that their object is to turn the clause into a libel machine; and surely no machine could be more libellous — no more libellous machine could be devised even by *The Times* newspaper or the *Liberal Unionist* —than the bracketting together of legitimate associations such as the National League and illegitimate associations

such as the Moonlighters association, and having the various news agencies spreading the Proclamation broadcast over the whole of England. Now, I want to ask a single question, and it is this. I find here a most elaborate series of sub-sections — 2, 3, 4, 5, 6—all of which deal with these Proclamations. I allege, and I do not think it can be denied, that under this sub-section Parliament will not have the slightest real control over these Proclamations; and I want to know if this Amendment be accepted in its unaltered or unmodified form, whether it is the intention of the Government to strike out the other sub-sections as a mere farce, or to accept some Amendment which will enable Parliament to discriminate between the different associations named in a Proclamation, striking out one if they think it should be struck out, and leaving in the others?

MR. DILLON (Mayo, E.): In my opinion it would be exceedingly difficult to exaggerate the importance of this Amendment. If anything were required to justify the position we took up the other day, certainly what has occurred in Committee during the last half hour would be ample justification. This Amendment is of the very utmost importance, and it is of the utmost importance largely in view of the way in which this Bill is drafted. This clause has been discussed for a long time indeed, and yet I venture to say that there is not one man in 10 behind the Government who really realizes what this clause enables the Lord Lieutenant to do. Now, Sir, in order to do our best to bring home to the minds of the Committee the enormous importance of the Amendment proposed by the hon. Member for Cork (Mr. Maurice Healy), I must, at some length, point out to the Committee what these sections as they now stand, or as they would stand modified by the proposal of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay), would permit the Lord Lieutenant to do. These two clauses of the Act, Clauses 6 and 7, work into each other in the most extraordinary fashion. Clause 6 enacts in the beginning that if the Lord Lieutenant is satisfied that any association exists in Ireland for a number of objects which we have frequently heard described the Lord Lieutenant by and with the advice of the Privy Council may from time to time declare that the provisions of the Act relating to dangerous associations shall come into force as from the date of such Proclamation, or from any later day specified. Now, what I want to impress upon the Committee is this, that in this Clause 6 the Lord Lieutenant is entitled to bring into force the provisions of this Act without limitation of place all over Ireland if he is satisfied there exists, in any part of Ireland, any association for the commission of crime. We all know that there exists in a small corner of Ireland, in a very limited area, an association which the Government have been struggling to put down for a long time past, and which carries on its operations by outrage and crime; and, therefore, the proposition put forward in this clause is to the effect—I do not think many Members of the Committee realize it—that the Lord Lieutenant, in view of the existence of an association in no matter how little a corner of Ireland, may issue a Proclamation putting in force, without limitation of area, the provisions of this Act as to dangerous associations. And it is that Proclamation which will be laid before the House of Commons, and upon which the issue will be raised. And the issue raised will be this, whether the Lord Lieutenant was justified in his belief that an association existed in any portion of Ireland having for its object the commission of crime and outrage. Observe what the other provisions of this clause are. The state of affairs will be this—a Proclamation will be laid before the then House specifying that the Lord Lieutenant having been satisfied that there exists an association in some part of Ireland for the commission of crime, has proclaimed that the provisions of this Act applying to dangerous associations shall be enforced, and this House will be asked to decide on that Proclamation. What will the Government have to say in justification of that Proclamation; they will simply have to call to the attention of the House the existence of a certain dangerous association in Kerry and in certain parts of Clare. They need not go a step beyond that. It will be useless for us to point out in this House that the great association in Ireland is free from crime; but the Go-

Mr. Chance

vernment will have nothing more to do than show that the Lord Lieutenant is justified in applying the clause, on the ground that he is satisfied that a dangerous association exists. I say that the check which the right hon. Gentleman the Chief Secretary for Ireland yesterday called our attention to is absolutely no check whatever. The existence of Moonlighters in Kerry would be a justification for the Lord Lieutenant proclaiming the whole of Ireland under this clause. When that Proclamation is made, and the debate has been taken on it after a fortnight what condition of things will arise in Ireland? Clause 7 says that from and after the date of such Proclamation, and as long as the same continues unrevoked or unexpired, the Lord Lieutenant may from time to time prohibit or suppress in a district any association which he believes to be a dangerous association. The Lord Lieutenant gets his power to apply his Proclamation on account of the Moonlighters in Kerry, and then he proclaims the National League, and he is perfectly right to do that under this clause. I say that we are entitled to look upon this Amendment as an Amendment of the utmost importance, and if the Government desire in any way to abridge this discussion, they ought to get up and state what safeguards they intend to insert in Clause 7 in order to prevent the monstrous state of things which I have described.

DR. COMMINS (Roscommon, S.): The Government have said throughout these discussions that their desire is simply to put down crime; but they have been charged over and over again with desiring to put down political combination in Ireland, and we find that every part of this Bill which can be used for the purpose of making war upon public opinion, and for the purpose of destroying their political opponents, is adhered to with the greatest pertinacity. I want to know what object the Government has in view in putting the clause into this particular form. Under the cover of Moonlighting in Kerry, which their opponents detest as much as they do, their desire is to suppress the National League; and they have not denied that under cover of that state of things in Kerry there will be a special Proclamation, involving the whole of Ireland. Having got his power, there is no doubt that the Lord Lieutenant will suppress every association which he deems to be dangerous; he may go any length, and even suppress the associations of the people in Ireland for the performance of their religious duties, and it is very likely that he will do so. However that may be, he can suppress any association whatever. It is said that these Proclamations must be approved by Parliament, or laid before Parliament. At the end of 21 days he would have power to suppress every hostile meeting and political association, make war on any political organization, and, indeed, suppress the whole public opinion of the country. The powers of this clause would be very useful to the Government in the case of an election. At the time of a General Election there are political associations in every county for the return of Members to this House, and no doubt the Government will be only too ready to interfere with them at the time. I should like to know what defence the Government have for this clause, which is clearly intended for the suppression of public opinion and political association. I cannot see that it would be much trouble to the Lord Lieutenant to issue two Proclamations instead of one, because the forms are kept ready printed, and there is nothing to do but to fill in the names of districts and associations. If that is not the argument on what other argument do the Government rely? Do they want to include all the various associations in Ireland in one Proclamation? I observe that in the drafting of this measure the Government have an exceeding fondness for general forms of expression, which of course allows them the greatest latitude in the application of the Act. It is this that we object to, because as has been frequently pointed out it is plain that their intention is not to put down crime, but to suppress their political opponents and stifle public opinion.

MR. EDWARD HARRINGTON (Kerry, W.): It is clear from the position taken up by the Government that their object is to confound political and criminal matters in Ireland. The Government cannot contend that there is no force in the argument used on this side of the House with regard to Kerry. The fact is well known that there is in that county and has been for years, a society working secretly and which is

not in harmony with the National League, and it is also well known that I and others connected with the National League in Kerry have run serious risk of a personal character in resisting the endeavours of that society. I can quote from the evidence of the District Inspector, residing at Castleisland, and, I think, it will show the Committee that in respect of these associations there is a wide difference and counteraction. The outrages that have taken place in Kerry have been almost solely in that district, and the evidence of the Inspector is that "There is only one branch of the League practically working in that district." I can corroborate his statement, because the first force of the evictions came on that place, and the people who should have organized the League there neglected to do so, and what has taken place there is largely due to this fact. Then I draw particular attention to the evidence of the witness, who says that the National League "denounced land-grabbers," and that although they denounced the more violent forms of Boycotting, they did not think they should advise the people of Ireland to mix with land-grabbers. Sir, we do not for a moment pretend that we advise the people of Ireland to associate with them, but we do assert that there is a great difference between the advice which the National League gives to the people and the action which is taken by secret societies in these matters. In answer to another question the witness said, he "Would not attribute the Boycotting to the League at present, because it was so organized that it is unnecessary that the League should interfere." The witness then mentioned the fact that Mr. Davitt went to the district, to which the President replied—"I am very glad to hear that. Mr. Davitt is rather a celebrated character." Our contention all along has been that the men who work by secret means, who are bound together by secrecy, whose methods are violence, and who work in the night are a distinct class of persons, with whom, generally speaking, the great body of tenant farmers are not in sympathy at all. I find in the evidence the fact that some of them have subscribed to these associations; but a witness for the Crown says—"It is from terror, and not from sympathy that they have subscribed." I will take some further evidence, and this, I think, fully bears out the contention that is urged here to-day. The County Court Judge of Kerry says to the District Inspector—"Then there seems to be an organization exercising a stronger power over the tenants?"—and the witness says "Yes." In reply to the question "Have you any objection to state what that organization is?"—the witness says "I do not think it would be for the advantage of the country to state what it is." Now, the right hon. Gentleman cannot pretend to think that the witness had in his mind the National League, because the whole of his evidence up to that time related to the National League. Here you have the District Inspector, the man who procured the hanging of two men and the transportation out of the district of 79 others, the man who of all others knows the district, and who is one of the most capable officers in Ireland—this man draws a clear distinction between those who are working an organization of terror and the National League. When he is asked to name the organization exercising terror, he says that it would not be in the interests of justice that he should do so. That means, Sir, that he believes there is a secret association that he can put his thumb upon. What Her Majesty's Government want to do is, to make it necessary, when the secret society in Kerry is proclaimed, that the National League should be also named in the Proclamation. That is clearly the object of the Government, and they know it to be so as well as we do; but I think we should, at any rate, impress on the House and the country the fact that they are aiming at political combinations, and not aiming at it honestly, but by the unfair means of confounding their opponents with criminals. That has been the case with all Governments; from the beginning their action has been to confound their opponents who work in open day with criminals who work in the dark. What trouble will there be in issuing separate Proclamations? Will there not be hundreds and thousands of forms lying in Dublin Castle, and is it not idle to speak of the trouble of issuing separate Proclamations in place of writing the names of several societies in each? The right hon. Gentleman a short time ago said they might want to suppress two societies at the same time, and that the two must

me taken together. I appeal to hon. Members as to whether that is not the most unconstitutional doctrine which has yet emanated from the Treasury Bench. I suppose there is no use in appealing to hon. Gentlemen opposite. I do not wish to say anything offensive to them, but I can hardly remember a question in connection with this Bill on which hon. Gentlemen below the Gangway opposite have exercised an intelligent vote. If that is not so, let the Government put up one man who can show that he has understood the point at issue, and give a reason for the vote he is about to give on this Amendment. You are putting it into the hands of the Lord Lieutenant to proclaim any society in Ireland, whether criminal or political, and our contention is that you should do justice to the political combination, that you should not confound it with the criminal organization, and that you should come to the House with a clear issue. We do not want to stand up in this House and defend Moonlighters, but if you place the combinations of tenant farmers side by side with them in your Proclamation, we shall be in this dilemma, that while we are defending our association, you will come down and say that the Irish Members are defending Moonlighting. I shall not detain the Committee further than to say that I shall lose all hope of awakening the conscience of Tory Members below the Gangway if we do not get a few intelligent votes from them in support of an Amendment for the purpose of enabling the Lord Lieutenant to discriminate between the organizations it is intended to proclaim.

Question put.

The Committee *divided:*—Ayes 190; Noes 145: Majority 45.—(Div. List, No. 240.) [2.45 P.M.]

Question, "That the words 'to be dangerous any such association or associations named or described in such Proclamation,' be there inserted," put, and *agreed to.*

MR. CHANCE (Kilkenny, S.): I desire to add, at the end of the last Amendment, these words—

"Provided that such Proclamation shall define the district or districts to which it applies."

I think this Proviso is necessary, because if it is not made in the case of a Proclamation relating to the National League, we shall have people in some part or parts of the country saying that the Proclamation does not apply to them, and the next thing we shall hear of will be that they are summoned before the Resident Magistrates and sentenced to imprisonment with hard labour. I do not know that it is necessary to detain the Committee at greater length than to say that my proposal appears especially reasonable, because when once the Proclamation is made under Clauses 6 and 7, no judicial tribunal will have any discretion to see whether a man has been guilty of bad conduct or taken part in any criminal proceedings. The Proclamation will preclude these questions being entered into and the man will be sentenced to hard labour. I think then it is necessary that the public should know precisely not only what associations are declared to be dangerous, but where they are declared to be dangerous. On the second reading of this Bill the right hon. Gentleman the Chief Secretary for Ireland said that "The National League might be perfectly innocent in one district and dangerous in another;" and, therefore, I think if the right hon. Gentleman desires to maintain his opinion, that the Government are bound to accept this Amendment, which can do no harm to the Bill while it will make the meaning of the Proclamation clear.

Amendment proposed,

At the end of the last Amendment, to insert the words, "Provided that such Proclamation shall define the district or districts to which it applies."—(*Mr. Chance.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): The Amendment moved by the hon. and learned Member for Inverness (Mr. Finlay) which the Government have accepted, provides that associations made the subject of Proclamations shall be properly described. I need hardly say that the Lord Lieutenant, having regard to the circumstances of of these Proclamations, will lose no time in laying them before the House of Commons and House of Lords. The Proclamations will be subject to the approval of both Houses, and the Lord Lieutenant will therefore take care that they describe the associations they are directed against in a sufficiently distinct manner. I, therefore, have no apprehension, and I do not think the Committee will entertain any apprehension, that the Procla-

mation is likely to be vague in its description of the associations which are deemed objectionable. It is necessary to take care that where it can be avoided there shall be no machinery in existence by which the result we hope to gain will be interfered with, and if this Amendment were accepted, it would certainly offer to unlawful associations a means of evading the effect of a Proclamation. If we accept this Amendment the clause will require not merely that an association shall be described in such a way as to show what the association is that the Proclamation refers to, but that the association shall be described by the limits of the district in which it exists. Let us suppose an instance—let us suppose that an association exists—a nameless association—and that we are in a position to satisfy the House that it is a dangerous association. Supposing we obtain sufficient information with regard to it to proclaim it with a sufficient description to enable the House clearly to identify it. If we accept such an Amendment the only thing such an association would have to do to evade the operation of this clause would be to transfer its headquarters, to remove its officers and its papers, and everything connected with it across the borders of the county, say of Kerry, into the County Cork, so as to get out of the jurisdiction of the Proclamation. I do not say that it is the object of the hon. Member in moving this Amendment to enable unlawful associations to evade the operation of the clause in this way, but certainly that would be the result, and we, therefore, cannot accept the proposal. As I said, we have accepted an Amendment which will require an association to be adequately described as regards its name and character. We can go no further than that, and cannot undertake to limit the clause in the manner proposed.

DR. COMMINS (Roscommon, S.): The refusal of the Government to acquiesce in this Amendment is a condemnation of what we heard stated a short time ago as one of the leading principles of the Bill, which takes power to proclaim, not only individuals, but individual districts. The reasons the right hon. and learned Gentleman has given for not confining Proclamations to particular districts should be equally good against proscribing districts at all. Supposing the district of Castleisland was proclaimed, the Moonlighters would be able to prosecute their operations outside that district, and would be quite as mischievous in the one place as in the other. The right hon. and learned Gentleman's arguments I, therefore, maintain should cut right through, or else he should modify them. He condemns one of the leading principles of the Bill, in order to support one of the small extravagancies that the Government claim under cover of this clause. Let us see what disadvantage could arrive, in any way, from the adoption of the principle of this Amendment. There is nothing in the Bill to prevent the Lord Lieutenant limiting an order; therefore, supposing an order is limited, and the Proclamation states that it shall be in force within the area of Castleisland, where, according to this Act, the magistrates are to have power to act in regard to offences committed in another district. These magistrates would be able to take up a Moonlighter in Donegal or Antrim and bring him up before the magistrates of Castleisland district, so that the Government would lose no power for the suppression of crime by limiting the orders under this clause to districts as well as to associations by name. By limiting the Proclamation to certain districts, in which the particular offences which you desire to put down take place, you will be limiting it to a class of people and to a class of offences which you desire to prosecute and put an end to. I would urge the Government, if they do not want to have one set of their arguments upsetting others, if they do not desire that the exigency of resisting a particular Amendment should force upon them an argument showing that their whole Bill is irrational, and if they would make their measure a little consistent with the principles of fair play, I would urge upon them to accept this particular Amendment.

MR. HOLMES: The hon. Gentleman who has just sat down says that this clause, unless amended, will be inconsistent with a previous provision of the Bill; but that is not so, because all through the preceeding clauses you have it clearly laid down that the Lord Lieutenant can proclaim any part of Ireland for the purposes of putting those previous enactments in force, and that there the

matter is to end—that is to say, that his decision is not to be reviewed by Parliament. If the Lord Lieutenant conceives that one Proclamation is not sufficient he can immediately issue another covering a new or a larger district. The hon. and learned Member will see that under the present clause it is necessary, whenever a Proclamation is issued, that Parliament should be consulted—that it should be called together for the purpose of considering the action of the Government if it does not happen to be sitting at the time. Assuming that a Proclamation laid before Parliament stated that an association in Kerry was a dangerous one, after Parliament had dealt with that Proclamation it might prorogue, and the day after the Prorogation the headquarters of the association and all officers might be moved from Kerry to another county. In order to touch that association it would then be necessary to issue another Proclamation, and Parliament would again be called upon to pronounce an opinion upon it. It would be necessary to go through all these forms again, though, to all intents and purposes, the association to be proclaimed will be the one previously proclaimed. This process might be repeated over and over again. I therefore submit that the Amendment is one which it is impossible to accept.

MR. MAURICE HEALY (Cork): The argument of the right hon. and learned Attorney General for Ireland is this—that the Government having agreed to this extraordinary check of Parliamentary sanction to the issue of the Proclamation under the 6th clause, that check shall be rendered practically nugatory by making the Proclamation as vague and as wide as possible. That is really the effect of the right hon. and learned Gentleman's argument. He says that under the 5th section the Lord Lieutenant can proclaim a district, and there the matter is at an end—that his action is not subject to the review of Parliament, and that, therefore, the Lord Lieutenant, being practically irresponsible, can do what he likes. He maintains that if one Proclamation is not enough the Lord Lieutenant can issue another; but that it would not be possible for him to take that course under the 6th section, because under that section his action is open to the review of Parliament. He contends that it is necessary, therefore, that the clause should be as vague as possible, and unlimited as regards the area as proposed. The right hon. and learned Gentleman submits that it would be inconvenient for the Government to accept the Amendment; but the right hon. and learned Gentleman cannot expect us to accept that reason as satisfactory and adequate. It is because the Amendment would place inconvenient limitations upon the Lord Lieutenant that we propose it to the Committee. The point raised by my hon. Friend has not been met, and I submit that it is a substantial point. That point is that the right hon. and learned Gentleman the Attorney General for Ireland and the right hon. Gentleman the Chief Secretary for Ireland have laid it down that it is quite possible that a particular association may be a perfectly harmless one in one county and a noxious and dangerous association in another county. There is no use talking at large. We all know what the association is that is in the mind of the Government, and the sooner we come down to facts and deal with these facts the better. Let us not talk generally about associations, but let us talk about the National League. The right hon. and learned Gentleman says the National League may be a dangerous association in one county and a perfectly harmless one in another, and, of course, that is an absolutely sound proposition, and one which no one will for a moment attempt to dispute. But what follows from it? Assuming that this is the fact, and that the National League is a dangerous association in one county of Ireland but is a harmless association in another county, and, in fact, all through Ireland, what follows? Why, that the Lord Lieutenant might issue a Proclamation suppressing the National League. He will justify that action by referring to the character of the organization in one county, notwithstanding that all over the rest of Ireland the association might be perfectly harmless. All he will have to say will be—"I wish to suppress the National League in the County of Kerry or the County of Galway—its members have made wild and seditious speeches, and the county is bordering on revolution in consequence; we cannot allow that state of things to go on; therefore we desire to suppress the National

League." If it is only in consequence of the local acts of a particular branch of the National League that the Government would desire these powers, then, I say, limit the powers to that particular district where they are said to be wanted. Let us have introduced into the body of the clause the limitation that the right hon. Gentleman the Chief Secretary says is a perfectly proper and reasonable limitation. Let us have admitted on the face of the Bill what the right hon. Gentleman the Chief Secretary says is a principle which should regulate the conduct of the Executive in Ireland. If they want powers to apply only to a particular district let the fact be placed before Parliament in the Proclamation. Is it not monstrous to ask that where the Government induce Parliament to sanction a Proclamation under this section by a description of proceedings in one perfectly limited locality in Ireland, that they should, therefore, take powers to suppress a particular association all over Ireland by enacting that these powers shall extend all over the country quite irrespective of the action of the association? That is the point the right hon. and learned Attorney General for Ireland has to meet, and that is the point he has studiously avoided meeting. What he has said as to the danger if you limit your Proclamation to one county of an association transferring its operations to an adjoining county is, practically, wide of the mark. I say, if that is so, what you have to deal with is not the old association, but the new association. If the Government find that an association in Kerry is dangerous, it is dangerous because of its operations in Kerry. If there is disorder and turbulence, it is in Kerry that the disorder and turbulence exists. Then, let the Government take power to suppress that disorder and turbulence in Kerry, and do not let them ask the Legislature to suppress prospective disorder and turbulence in Kerry by the extraordinary means proposed in this clause. Do not let the Government assume that there is going to be disorder and turbulence at some future and nebulous time where no such disorder exists at the present moment. Otherwise, it amounts to this—that although nine-tenths of the country may be perfectly peaceable, the Government are going to assume that, notwithstanding that state of peace and order which might prevail there, that at some future time which no one knows anything of but themselves a different state of things may arise, and it is necessary for them to take powers in advance to deal with that exceptional state of things. I say that it is time enough to bid the old boy good day when you meet him—it is quite time to take power to deal with turbulence and disorder when it arises, and what we ask is that the Government should limit their Proclamation in a manner which would give them ample power to deal with existing crises, but which will tie their hands so far as enabling them to deal speculatively with any future crises that may arise is concerned. We wish to tie their hands so as to prevent them extending, under false pretences, as one may say, the extraordinary power that a special Proclamation would give to a district which was not in their minds when they issued the Proclamation, and the application of the Proclamation to which district was never discussed by Parliament, and with regard to which, if they wish to have a special Proclamation dealing with it, it is only right and proper that it should be dealt with as a new matter, and should be discussed by Parliament in connection with a new Proclamation. When Proclamations are applied to new districts they should come under the purview of Parliament, and Parliament should be able to discuss them and deal with them.

Question put.

The Committee *divided:*—Ayes 152; Noes 217: Majority 65.—(Div. List, No. 241.) [3.40 P.M.]

MR. MAURICE HEALY (Cork): I wish, Sir, to add as a Proviso after the Amendment of the hon. and learned Gentleman the Member for Inverness (Mr. Finlay) the words—

"Provided that every such Proclamation shall state the grounds upon which any association named therein is declared to be a dangerous association."

The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Holmes) will see what the object of that Amendment is. I do not desire that the Lord Lieutenant should be compelled to declare the specific acts that have caused the issue of the Proclamation, but I do wish him to specify under which of the sub-heads set forth in the earlier part

of the clause he is going to suppress the association—for instance, I think it desirable that he should say whether he desires to suppress an association because it is formed for the commission of crime; or whether he desires to suppress it because it encourages or aids persons to commit crime; or whether it is because it promotes or incites to acts of violence or intimidation; or whether it is because it interferes with the administration of the law, or because it disturbs the maintenance of law and order? The object of my Amendment is plain. I do not desire it to be in the power of the Executive in Ireland to confound an association formed merely for criminal objects with an association formed for what I may call political objects. I do not wish that the Governnment of the day or the Executive in Ireland should be permitted to confound the National League with the murder societies formed at the time of the Invincible Association. I think the right hon. and learned Gentleman will admit that that is reasonable. My Amendment does not place any limitation on the power of the Lord Lieutenant, but all that it asks is that he should be compelled to say under which of the five sub-heads in Section 6, forming the powers which are given by this section, he is acting upon in issuing any Proclamation, and thereby to enable Parliament to discuss the Proclamation when it afterwards comes on to be discussed when Addresses are moved. It would be impossible for Parliament adequately to discuss these matters unless it has before it information of this kind, because, if the Government have power to lurk behind any one of these five sub-heads without saying which they rely on, there will be no discussion possible.

Amendment proposed,

In page 5, after the words last inserted to insert the words—"Provided that every such Proclamation should state the grounds upon which any association named therein is declared to be a dangerous association."—(*Mr. Maurice Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): If this Amendment were adopted in the form in which the hon. Gentleman moves it, it would go much beyond what in his speech he states is its object. It appears to me to be quite clear that, if that Amendment were accepted, it would be necessary that the Proclamation should contain a great deal of information which it is no doubt desirable that the House should have, but which would be altogether unsuitable for a Proclamation. The hon. Gentleman refers to the sub-heads of Clause 6, and says it should be stated in the Proclamation under what sub-head the Lord Lieutenant thinks that the association is dangerous. Well, I would point out that if such an Amendment as that which is proposed were inserted, it would probably lead to some formal declaration, which would probably be used in every case embracing the whole five heads. I do not think that any statement of such a loose kind would be calculated to effect the object of the hon. Member. If an association is conceived to be a dangerous association, it may, to a certain extent, be supposed to come under all five heads, and it may not be thought proper to discriminate between one and the other. All these sub-heads will probably combine, in the opinion of the Executive, to make an association dangerous. Immediately after a Proclamation is issued, Parliament will have an opportunity of discussing the matter fully, and that will prevent the danger of an indefinite Proclamation being issued for the reason that those who represent the Irish Government will have to set forth the grounds of the Proclamation clearly and distinctly. They will be asked to state the sub-head under which the Proclamation is issued, and they will have to give an answer, and in that way the whole matter will be discussed. The Irish Government will have to enter into the grounds, reasons, and circumstances on which the Proclamation is issued. That is the proper way for hon. Members to arrive at the facts which led to the issue of the Proclamation—that is the way in which the matter should be brought forward. In that way the House will have an opportunity of knowing what is being done, and that is the reason why we resist this proposal.

MR. MOLLOY (King's Co., Birr): The argument of the right hon. and learned Attorney General for Ireland went over a very large amount of ground, but it was exceedingly vague

and highly unsatisfactory. I presume that when the Lord Lieutenant claims, under the power given by this clause, to issue a special Proclamation, he will know why he does it. In the examination he will have to make—in the conscientious examination he will have to make under the guidance of the Law Officer of the Crown, the Lord Chancellor—he will take into consideration the powers contained in this measure. They will have to decide amongst themselves under what clauses of the Act the Proclamation is to issue. They will have to decide whether it will be under Clause 1, 2, 3, or 4, or any other of the sub-heads of Clause 6. The Lord Lieutenant will have no difficulty in stating under what head of the clause the Proclamation is issued. Then the right hon. and learned Attorney General for Ireland, feeling the ground of his defence extremely weak, went on to point out that really the object of my hon. Friend will be attained without this Amendment. He says that when Proclamations are issued under this clause they will have to be discussed shortly after their announcement, and that then the Irish Executive in this House will have to state fully and in detail all the reasons and the causes for which the Proclamation has been put into effect. Well, that is not satisfactory by any means, because we know very well that the defence that sometimes comes from the Treasury Bench, especially on Irish matters, is one that we may call peculiar. We should like to know beforehand what the ground is upon which the Proclamation is issued—that is to say, we should like to know what the accusation is that is about to be made against a particular association or associations that may have been proclaimed, because, unless we know beforehand, we shall be at this disadvantage when any debate may arise in this House upon the Proclamation: the present or some other Attorney General for Ireland will rise in his place and enlighten the House and the Irish Members, who will be more particularly interested in the question than anyone else, for the first time, as to the reason why the Proclamation has been issued. If we had any great confidence in the reasons which are given by the Government, and especially if we had any great confidence in the soundness of the evidence produced by the Government, that would answer very well; but I remember, and most of the Members of this House will remember, the gross failure of the right hon. Gentleman the Chief Secretary for Ireland in the evidence he attempted to impress us with on the second reading of the Bill. The House was astounded, not only by the contradictions which were offered, but by the proofs which were given of the want of foundation for the statements and anecdotes upon which the right hon. Gentleman the Chief Secretary attempted to found his Bill. The Committee will remember that the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) rose in his place in order to cover the arrears and the default of the right hon. Gentleman the Chief Secretary; and he boasted that the charges he was about to produce to the House were facts, and could not be denied. Thereupon the right hon. Gentleman the Chancellor of the Exchequer — and I lay emphasis upon this, because it is the sort of thing which will happen again—came down with a description of a case in which a midwife had refused to attend an unfortunate person in labour, in consequence of which melancholy results had been brought about. That was quoted as a case of Boycotting. That case rather astonished the House for the time being. It was sprung upon us, and it took two or three days to ascertain whether there was any truth in the story or not. Well, what was the result of investigation into the truth of this story—what was the result of this evidence given in defence of the Government, just as evidence will be given in future by the Chancellor of the Exchequer and other Members of the Government? Why this evidence, for which he vouched as a Minister of the Crown—this evidence, which he brought forward as certain evidence, turned out to be false; and the result of the statement of the right hon. Gentleman the Chancellor of the Exchequer is that the midwife to whom reference was made is now bringing an action against the Chief Secretary for slander, and the right hon. Gentleman the Chief Secretary, being frightened by this midwife, refuses to accept service. Well, Sir, that piece of evidence that I have so described was produced in this House, and it made an effect upon the House, because it was

sprung upon us, and it was impossible at the moment to say whether or not it was true. Everyone admitted that if it were true it was a sample of Boycotting of the most cruel and cowardly description imaginable. The result of our inquiries, however, was to show that the whole thing was untrue from beginning to end. Well, now, if evidence for the accuracy of which a high Minister of the Crown has taken the trouble to vouch, and has put forward on his responsibility, can be deceptive and can mislead the House, what great confidence can we have in the evidence that we shall receive from the right hon. and learned Gentleman the Attorney General for Ireland on similar occasions when defending a Proclamation? Of course, I do not intend for a moment to insinuate that the right hon. and learned Gentleman the Attorney General for Ireland would state what is untrue; but the right hon. and learned Gentleman, like every other official, has to depend upon information supplied to him. We shall have then this state of things. A special Proclamation will be in force; we shall discuss it, as the right hon. and learned Attorney General for Ireland says, but we shall come to the discussion without the faintest idea or without the faintest conception as to what the statement or accusation against the association may be, and a vote will be taken at the end of that simple discussion. Suppose the right hon. and learned Gentleman is again misinformed—and it is now admitted that that right hon. and learned Gentleman and the right hon. Gentleman the Chief Secretary were misled—we shall be in this position—that the Proclamation will be confirmed in this House on the virtue of a statement or on the virtue of evidence given to the right hon. and learned Gentleman which may subsequently prove to be absolutely false. All that we ask for is this—let us have some indication of the kind of accusation which is going to be made. Nobody asks that the whole evidence shall be put into the Proclamation. It would, of course, be impossible to do that. It would be too long and too detailed. But, at least, let us know whether any association has been proclaimed for Boycotting or for something more serious than that. We do not ask for the evidence, but we ask for an indication of the reasons and grounds upon which the Proclamation has been issued. I think I have given the right hon. and learned Gentleman a very fair answer to his advocacy of the clause as it stands. I would ask him, as representing the Government—as he usually does on these matters, except when someone gets up to move the clôture—as this is to be a permanent Act, and he does not wish it to be misused, I would ask him, in justice, to say why he does not consent to such an Amendment as this? He can amend the Amendment as he likes; but, at all events, some Proviso should be added declaring that where an association has been proclaimed some information should be given to the House as to the cause of that Proclamation, in order that evidence may be obtained to enable adequate discussion to take place.

MR. HOLMES: I pointed to the uselessness of the Amendment, and said that it would contain matters which would have to be submitted to the House by the Executive for approval. The hon. Gentleman says that he desires detailed information in the Proclamation; but if it were rendered necessary that such detailed information should be given, it would probably take some set form which would be inserted in the Proclamation mechanically in every case.

MR. MOLLOY: I did not say what the right hon. and learned Gentleman imputes to me—that was just what I did not say. I asked that the Proclamation should contain some information as to the clause, or sub-section, or whatever it may be, of the Act under which the Proclamation is issued. I distinctly said I did not want detailed information. If an association has been proclaimed on account of Boycotting, supposing that that is the only ground which can be discovered, we can have some opportunity of finding out whether there has been any Boycotting or not. We should have that opportunity in order to prevent decisions being given in this House on stories and anecdotes given on Ministerial responsibility — stories and anecdotes that are afterwards admitted to be untrue from beginning to end, and which the Ministers who retailed them to us will not attempt now to rise in this House to justify by a single word.

MR. MAURICE HEALY: I am sorry that the right hon. and learned Gentleman has so low an opinion of the

officials in Dublin Castle who will have to discharge the duties under this Act. Of course, he knows more about the matter than I do, and I dare say any declaration that he makes, on a subject of this kind, is entitled to more weight than anything which can be urged from these Benches. But I do say that if we ventured to allege as even a possibility that which the right hon. and learned Gentleman says would be a practice, if this Amendment were adopted, hon. Gentlemen opposite would get up and howl at us for daring to make a suggestion of this kind. What does the right hon. and learned Gentleman say? Why, he says that if my Amendment were adopted, it would be the duty of the Lord Lieutenant to specify in his Proclamation under which of these subheads he considered a particular association should be proclaimed, and that then all the Dublin Castle officials would do would be to print a common form setting forth not merely one of the grounds, but the whole of them in bulk, like the pleadings in an action, denying everything and asserting everything. He seems to think that is the proper kind of charge to make against the officials of Dublin Castle, who are being trusted with the administration of this Act. I should have said that if the duty were placed upon the shoulders of the Lord Lieutenant of specifying under what head an association is proclaimed, the Lord Lieutenant would discharge that duty in a conscientious manner. I have said that before the Lord Lieutenant did exercise the powers contained in this clause he would have in his own mind a clear idea of what it was in the character of the association to which he objected, and that, having that clear idea in his own mind, it would not be beyond his power to specify that opinion clearly on the face of the Proclamation. For instance, if he were proclaiming an association like the Invincible Association, he would say that it was an association carrying on operations for or by the commission of crimes. On the other hand, if his Proclamation were directed against a branch of the National League which he considered was too active in Boycotting, or interfering with evictions, or encouraging people to obstruct the Sheriff, then, in the words of the Act, he would say that an association was proclaimed for interfering with the administration of the law, or disturbing the maintenance of law and order. I cannot imagine that there would be any difficulty in doing this; but what I understand the right hon. and learned Gentleman to say is, that so reckless would be the officials who administer this Act that, instead of taking that course, they would print a common form of Proclamation charging all conceivable iniquities against the association they are proclaiming, and letting the Proclamation come in this form before the House of Commons. Now, I will tell the right hon. and learned Gentleman what the advantages of my Amendment, in my view, if it were adopted, would be. I say, Sir, that those advantages are two. I say that, in the first place, it would compel the Executive in Dublin to have some clearly defined idea of what they are doing. It would compel them to look before them, and to examine the facts, and to see what powers they had under this clause, and when they examined into the circumstances of the case, and saw what powers they had, then they would issue their Proclamation. It would require them, after they had made up their minds that an association was to be struck at, to say under what head it should be proclaimed. That would be one advantage, and I persist in thinking that there would be some small hold upon the Dublin Castle officials for their discharging their duty properly, notwithstanding the mean opinion the right hon. and learned Gentleman expressed of them. Then there would be the additional advantage that it would raise a clear issue to be tried in this House when the Proclamation came before the House for discussion. At present it must be remembered that the parties attacking a Proclamation will be acting on the offensive. They will have to make out their case against the Proclamation. As the clause is at present drawn it is not the Government who will be compelled to come down to the House and justify the Proclamation. No; they have drawn their clause in this way—that it will rest with the opponents of the Proclamation who are impeaching it to set forth the grounds on which they wish it to be withdrawn. The parties who are attacking a Proclamation will have no clear issue raised to

try in the House if this Amendment is not accepted. They will be forced to make their case against the Government, and the Government will give their reply; whereas if my Amendment were adopted it would raise an issue, and put some particular point in dispute; it would state that the Proclamation came within some one of the sub-heads of Clause 6; and that being the issue, the ground would be, to a certain extent, clear. A clear issue would be raised, and the question this House would have to decide would be set before us in a clear and intelligible fashion, and there would be much less difficulty in discussing the matter than will inevitably be the case if the clause is left as it at present stands. I very much regret that the right hon. and learned Gentleman the Attorney General for Ireland should not have considered this Amendment in a more favourable spirit. I will not say that I regard it as an Amendment of the first importance; but I think it is an Amendment of some importance, and I believe that it certainly merits a little more attention at the hands of the right hon. and learned Gentleman opposite than he has given to it.

MR. J. E. ELLIS (Nottingham, Rushcliffe): In resisting the Amendment of the hon. Gentleman the Member for Cork (Mr. Maurice Healy), the right hon. and learned Gentleman the Attorney General for Ireland has used the expression at least four times—"so far as the terms in which it is drawn up go." I would ask the right hon. and learned Gentleman whether he would assent to these words—

"Provided that any such Proclamation shall declare under what sub-head, or sub-heads, the associations shall be proclaimed?"

MR. HOLMES: The hon. Gentleman could not have listened to what I have said, or he would not have made that proposal. I stated that the grounds upon which the Proclamation is issued may be so wide as to include, to a certain extent, all the sub-heads. It would be impossible to accept the proposal of the hon. Member.

MR. CHANCE (Kilkenny, S.): I have the clearest recollection of the Government's maintaining that every one of these sub-heads in Clause 6 is absolutely necessary. That A, B, and C are as distinct from D and E as possible, and that D and E are also distinct from one another; but now we hear that all these sub-heads are the same.

MR. HOLMES: I did not say they were all distinct.

MR. CHANCE: Then it was the hon. and learned Solicitor General for Ireland (Mr. Gibson). It is now said that they are all the same, and that it would be impossible to distinguish under which sub-heads an association should be proclaimed. If we had been able in the discussion upon Sub-heads D and E to prophesy the Government's attitude on the question now raised, I do not think that even the Liberal Unionists would have been backward in calling the attention of the Government to the points now put before us. The policy of the Government in resisting this Amendment is as plain as a pikestaff. When a Proclamation comes to be placed before the House the right hon. Gentleman the Chief Secretary for Ireland will get up and, in a pompous manner, declare that for reasons of State policy, and in the interests of the preservation of law and order in Ireland, it would be impossible to state the reasons why an association had been proclaimed. He will lead us to believe that he holds in his hand a perfect cloud of proofs in support of the issue of the Proclamation, but that, for reasons of State policy, it is not expedient to place them before the House. He will allude loftily to the fact that the Government have had the benefit of the knowledge and experience of the Privy Council—that most distinguished and honourable Body—and he will say that it is impossible to give any reason, and that if the House does not swallow the proposal body and bones the Government will resign. What would his position be if he had to give the precise sub-head under which he was acting? Why, he would have to prove that, under that sub-head, he had reason to believe the association proclaimed was dangerous. Of course, that would be a very difficult thing to do. I presume the Government cannot trust the intelligence of the common officials in Dublin Castle to distinguish very clearly between the different sub-heads, or follow the distinction in principle which was laid down by the hon. and learned Solicitor General for Ireland. But there is another great reason why we object to this clause, and it is this. If they attack the

National League on the ground of Boycotting, and say—"We declare this to be a dangerous association, because Boycotting is going on," and shortly afterwards it ceased, we should be able to come down and say—"This League has been proclaimed for a specific purpose; the purpose for which it was proclaimed no longer exists; the ground of complaint has ceased; and we now ask you to recall the Proclamation." But, as a matter of fact, the Government in this matter want the freeest hand, and they object to everything that would render the Code under which they are about to act anything like a fixed and certain one. Probably it is altogether idle for me to appeal to the Government when I see on the Front Opposition Bench the noble Marquess the Member for Rossendale (the Marquess of Hartington), who has come down for the purpose of seeing that the work is done effectually; but, at the same time, I would urge them to give this Amendment their favourable consideration.

MR. CLANCY (Dublin Co., N.): There was one remark made by the right hon. and learned Gentleman the Attorney General for Ireland with which I am disposed to concur. He stated that, no matter who introduced a Bill of this sort, they could not accept such an Amendment as this. That is so, and the reason is because the object of the Government is to get an unlimited power for suppressing anything to which they object, and naturally they oppose everything that would restrain them in the exercise of this power. The right hon. and learned Gentleman states that the information we ask for in this Amendment will naturally be given in the course of debate on those Proclamations in this House. But there is no guarantee that such information will be given in the course of debate in this House. I imagine that the great object of the Bill is to put down the National League, and the Government may have no particularly distinct evidence to put before the British public to satisfy them that a particular branch of the League should be suppressed; but after they have suppressed it by a Proclamation, which does not state the ground of the suppression, crime may break out as a natural consequence of that suppression, and then the Government will be able to vamp up their case when they come down here in order to explain their conduct to Parliament. That is what would happen; and, that being the view of the Government, I, for one, am not surprised that they object to any Amendment which would prevent them from vamping up a case in this manner. The right hon. and learned Gentleman says he cannot accept the Amendment, because some members of an association may adopt one sort of criminal means to carry out their object, and others may adopt another sort of criminal means. But what is the objection to stating in the Proclamation all the reasons which the Government have? They can state in the case of any particular association whether or not the members adopt the five reasons set forth in this section. There is nothing to prevent them from giving the whole five reasons, if necessary. But it would not be convenient or safe, perhaps, for them to do that. They would be showing their cards beforehand; and that would never suit a Conservative Government, supported by Liberal Unionists. There is, Sir, a precedent for the Amendment we propose. In Mr. Forster's Act—the Protection of Person and Property Act, 1881—it was provided that every warrant authorizing the arrest of a person should state the character of the crime for which that person was arrested, and Mr. Forster's warrant did state the character of the crime for which the persons imprisoned were arrested; and, as it turned out, that gave him the widest possible scope in the matter. Persons were accused of such vague offences as "treasonable practices," which nobody ever attempted to define, which no one has ever yet been able to define, and which no one will ever be in the position to define, in this House or out of it. All we ask is that this small limitation—namely, the character of the criminal acts that the association is believed to be carrying on—should be, in like manner, set forth in the Proclamation. I do not think anyone can assert that that is not a reasonable Amendment. We shall hear, I suppose, presently about the unreasonable character of this request. But the Amendment is one to which no one can object, if they desire to see the Act honestly carried out. If the Government were to carry out this Act honestly, no doubt they would be put

to very considerable inconvenience; and I express my own opinion when I say that I believe they intend to use this Act dishonestly, and that that is the reason why they refuse the Amendment.

MR. JOHN O'CONNOR (Tipperary, S.): I desire to add a few words to the reasons which have already been given in support of the acceptance of this Amendment. I am not concerned by the form in which this Amendment has been proposed. It is a matter of indifference to me whether it is in one form or another; but I say that some such Amendment or some such clause ought to be provided to compel the Government to state their reasons why a particular district has been proclaimed. It has been pointed out by the hon. Member for North Dublin (Mr. Clancy) that in the Act of 1881 the grounds on which individual persons were arrested should appear on the foot of those warrants, and also the charge that was made against those people. Now, there was one very elastic charge occasionally to be found in the warrants, and that was the charge of "treasonable practices." I hope the Committee will pardon me if I again refer to my personal experience of one of those warrants. At that time I happened to be prosecuted under one of those warrants, and the warrant bore on the face of it that I was guilty of "treasonable practices." Now, what the "treasonable practices" of which I was said to be guilty were, although six years have passed over since that time, I have never been able to discover. My hon. Friends in this House, at the period of which I am speaking, questioned the Chief Secretary on the point, and they asked him what were the "treasonable practices" of which I had been guilty. But, Sir, I had the misfortune to be arrested in company with another individual, who also was charged with "treasonable practices;" and when Mr. Forster was asked upon what grounds I was arrested, he usually read the speech of the other man, and said—"And the other speech was just like it." He never read my speech, though he was repeatedly asked to do so. In my speech occurred a statement of the course of conduct that I had laid down for myself on that occasion; and that would not have justified my arrest, therefore the late Mr. Forster fell back on the speech of the other man. Now, I hold that if it be necessary to state distinctly and fully the charges made against an individual, it is still more necessary to state distinctly and fully what are the reasons why a special district or organization has been proclaimed. I can quite conceive many instances and many cases in which the administrators of the law might consider it desirable to suppress a particular branch of the National League. There is no use beating about the bush, as was aptly stated by my hon. Friend the Member for Cork (Mr. Maurice Healy) just now. This Act is to be put in force against the National League—against a political and national organization—and its operations will be directed by a political personage—namely, the Lord Lieutenant of Ireland. Well, we should leave no loop-hole of escape in this matter, and should use every effort in our power, by argument and opposition, to compel the Lord Lieutenant to state what reasons he has for attempting to suppress a political organization. The people of Ireland look forward to that political organization of which I speak for the ventilation of their views. Their friends look forward to this organization for the preservation of law and order, and for that reason they are bound to make every effort they possibly can to save it from extinction in their country. I believe this Amendment to have been wisely conceived and framed, and I believe no effort should be thrown away by which we could possibly convince the Government as to the propriety of its acceptance. But it is vain to hope that the Government will accept any Amendment from this side of the House below the Gangway. They only accept Amendments moved by Liberal Unionists, so far as this side of the House is concerned. Never since the 1st clause was passed have the Government accepted one line of Amendment proposed from this quarter of the House. I cannot conceive what their reason is. They accepted Amendments to the 1st clause. They showed that they had open minds then; but since that time they seem to have closed their minds completely to the acceptance of any clause, or any line, or any word, or any syllable that will go to the amendment of the Act from this quarter of the House. I have to repeat my statement, founded on experience. I cannot state the fact

from a legal point of view of this Amendment; but I speak in the language of experience when I say that there is scarcely a line, a word, or a syllable of any Crimes Act that I have not had experience of; and I say that this Amendment proposed by my hon. Friend is absolutely required in Ireland in order to protect legitimate organizations, and therefore I hope the Committee will accept it.

Question put.

The Committee *divided:*—Ayes 171; Noes 247: Majority 76.—(Div. List, No. 242.) [4.30 P.M.]

DR. COMMINS (Roscommon, S.): Mr. Courtney, I now beg to propose——

DR. TANNER (Cork, Co., Mid): I rise to Order. I wish to ask your opinion, Mr. Courtney, upon a case which has just occurred. I want to know whether if the doors of the Division Lobby have been locked——

THE CHAIRMAN: Order, order! The Tellers in the last Division have retired, and no question has been raised. It is too late to raise a question now.

DR. COMMINS: I beg to propose to add, at the end of line 17, the words "or seven days after the date of the same." Now, anyone reading this clause will see that what may be done is this. The Lord Lieutenant may publish a Proclamation under Clause 6, and may, an hour afterwards, if he chooses, publish an Order not called a Proclamation under Clause 7, and he may, immediately upon issuing this Proclamation or Order under Clause 7, through his Resident Magistrates, in any given district to which the Proclamation or Order applies, proceed summarily to convict every member of the proclaimed association. Within two days—because we know that the summonses under summary jurisdiction may be returnable in two days, or in a shorter time if so prescribed—he may, within 24 hours, have 500 people in gaol for having done some act in contravention of the order made under Clause 7. Now, if the House of Commons is sitting, the Proclamation, under the 6th clause, will be laid upon the Table; but suppose the House is sitting he is not bound to lay it on the Table before seven days; if the House is not sitting he is not bound to convene the House before 14 days, so he may have sentences of imprisonment imposed on any given number of people at his own free will and discretion. Fourteen days—it may be 21 days before this House will have an opportunity of considering whether the Proclamation is proper or not. Supposing, what is not very likely to take place while the present Government is in Office, that when a Proclamation is laid before the House under which 500 persons have been imprisoned the House chooses to cancel it, there is no provision whatever anywhere in the Act, and nothing except Her Majesty's gracious pardon, to release from imprisonment the 500 persons incarcerated. Here you have an *ex post facto* trial which does no good at all; you have Cromwell's justice—namely, hanging people first and trying them afterwards. Now, this is a simple statement of what may take place under the Act. I do not think it requires any argument whatever to show cause why I ask that a slight check should be placed upon the possibility of such a thing taking place.

Amendment proposed, in page 5, line 17, insert "or seven days after the date of the same."—(*Dr. Commins.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): This is an Amendment which the Government certainly cannot accept. That the Lord Lieutenant can be so inspired with foresight or prophecy as to know exactly that in seven days — neither more nor less — that an association will become dangerous seems impossible. I gather from the hon. Gentleman's remarks that there should be a certain period between the issuing of the Order and the time the Order is acted upon. We contend that the Proclamation ought not to be issued until such time as the Lord Lieutenant is in a position to declare an association is dangerous, and that when he is in a position to make such a declaration steps should be immediately taken to suppress the association. The hon. Gentleman has said that it might be possible to arrest members of an association who never knew that the association had been proclaimed. I can readily say that there is not the smallest danger that any persons will be proceeded against under this section unless it is

clear to them that the Proclamation and Order have been issued. I am sure Members of the Committee will believe that no magistrate would be so foolish, and so absurd, as to make such a misuse of the Act as the hon. Gentleman seems to think possible.

MR. MAURICE HEALY (Cork): The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Holmes) is not usually sarcastic, and I would recommend him to be sure of his facts before he attempts any further witticisms such as he had treated us to. Will the right hon. and learned Gentleman be surprised to hear that the very absurdity he has himself pointed out might have arisen if the words of his own clause, as originally framed, had been adopted. What did it provide? It provided that the Lord Lieutenant might from time to time, by Proclamation, declare that the provisions of the Act relating to dangerous associations should come into force as from the date of such Proclamation, or any later date specified. Does that imply the prophecy at which the right hon. and learned Gentleman sneered? If the circumstances were conceivable under which the Lord Lieutenant might lay it down in a Proclamation that an association should not be dangerous for a week, or for a fortnight, or for a month after the date at which it was issued, what, then, is the absurdity in our making a general provision that no Proclamation shall come into force for a week after it has been issued? I really ask the right hon. and learned Gentleman to deal with the points raised by my hon. Friend (Dr. Commins). He says that no magistrate will ever act under these clauses unless he is satisfied that an association is illegal. A magistrate would have no option, Sir, once the Lord Lieutenant issued his Proclamation. No magistrate will have any alternative but to convict if the prosecution is instituted under Section 7, and, that being so, the case my hon. Friend has made is an unanswerable case. It is quite conceivable that under a particular Proclamation many men may be cast in gaol by the magistrate, and that a week, or a fortnight, or a month after being sentenced to six months' imprisonment, Parliament might declare that the whole Proclamation was null and void. And, even if Parliament did so declare, there is no provision in the Bill enabling a person so wrongfully sentenced to be released. I find it impossible to follow the right hon. and learned Attorney General for Ireland. He has not attempted to deal with the case put by my hon. Friend; he has not attempted to show how the injustice pointed out cannot arise; and, therefore, I ask him to give us some further information in the matter.

MR. O'DOHERTY (Donegal, N.): The section deals, in the first place, with the enlightenment of the Lord Lieutenant as to the existence of dangerous associations. Before anything whatever is done he is supposed to be satisfied in his own mind that an association is of the quality mentioned in one or other of the sub-sections. And then the section provides that he shall call in the Privy Council to decide whether or not he shall issue the Proclamation. Surely, if this House considers it necessary that the Proclamation shall be discussed by the Privy Council that the Proclamation must be brought before the supreme intelligence of the members of the Irish Privy Council, is it not of importance that the parties concerned shall have notice before the Proclamation is brought into operation by the bludgeons of the police? The Lord Lieutenant alone is to be satisfied in his own mind as to the quality of the association; but before he can do an Executive act he must bring in his Council to consult with him. Surely it is a reasonable thing, and appeals to any common sense that is left on the Treasury Bench, that notice of a Proclamation ought not to be given to the Privy Councillors, but to the parties upon whom the section is to operate. The Order is to be issued under the 7th clause, and no time is provided for a notice of that Order to be given. I can conceive such a case as my hon. Friend the Member for South Roscommon (Dr. Commins) has mentioned arising. The right hon. and learned Gentleman the Attorney General for Ireland asks us not to believe that absurdities will occur under this Coercion Act. Now, Proclamations and the action of the police under the Proclamations are most extraordinary. I do not know whether the Lord Mayor of Dublin is present; but he has published a very remarkable and a very witty poem on a case which occurred in Belfast, in which, under the Proclamation forbidding the carrying of arms, a poor Italian

who had instructed a monkey to shoot a little gun was, with the monkey, accused of carrying arms in a proclaimed district. When you enact those absurd provisions there is no knowing in what way they will be worked, and in what way men's minds will be affected by them. There has not been the slightest reason shown for the opposition to this Amendment.

DR. COMMINS: I am surprised the right hon. and learned Attorney General for Ireland has not attempted to answer a single one of the arguments. He has not shown that what I asserted is not possible under this section if it be left unamended. He says—"Oh, that is not likely to happen. It is very unlikely it could happen." We have it on authority that the right hon. and learned Gentleman himself will respect that what is most unexpected does happen. Well, now, the right hon. and learned Gentleman tries to be jocose by speaking of Proclamations as prophetic. I suppose that is a joke that passed the round of the framers of this Bill when they were bringing in the Whiteboy Sections. Does he forget that the Whiteboy Acts contain precisely the same provisions he now jokes at? I certainly advise him to keep his jokes for the next meeting of the framers of the Coercion Act, and to try and apply his mind to answer arguments that are used here against the Bill. The thing is too serious for us to joke at. We are told that none of the things we fear can happen in consequence of the good intentions of himself and Colleagues. We utterly distrust the good intentions of the Government. If we are to judge their intentions from their acts we have every reason to distrust their good intentions. What was done in regard to the Italian and the monkey at Belfast shows to what absurdity the Government are likely to go. Can it be denied that what I have alleged is possible—namely, that hundreds of people may be arrested without the slightest notice having been given to them? Will people be arrested and sent to prison for six months without any notice of the proclamation of the association to which they may belong having been given? And if they are sent to prison, and this House declares the Proclamation to be illegal, where is the provision in the Act to bring about their release?

MR. EDWARD HARRINGTON (Kerry, W.): It is quite evident that the Government are desirous to trap the people by not giving them warning of the Proclamation. They want that the Proclamation shall come into force from the day the Lord Lieutenant publishes it. Is it not rational to suggest that the Proclamation should come into force on the day on which it is reasonable to presume the people who are concerned in it have become acquainted with its existence. I have had experience of Proclamations. I have known public meetings announced to be held in Ireland on a Sunday and the Lord Lieutenant to deliberately reserve his proclamations of those meetings until the Sunday morning. Why will not the Government in this case arrange that some number of days should elapse, during which the people may have an opportunity of knowing what the Lord Lieutenant has done. This is the principle of the ordinary law. You cannot kick a man out of a field for trespass. You must warn him first, and pursue him afterwards. Why will not the Government pursue the ordinary courses of justice? Because I suppose they are not a parental Government, but a Government acting against the will of the people.

Question put, and *negatived.*

MR. CHANCE (Kilkenny, S.): I beg to move to add to the words last inserted the words—"No such Proclamation shall continue in force for any greater period than one year." I have no doubt two objections will be raised to this Amendment. It will be said, in the first place, that this clause proposes to deal with criminal associations, and that it is an unreasonable thing that we should have to renew Proclamations year after year; and the second argument which may be used is, that already the Committee have refused to limit ordinary Proclamations to six months, or to any period whatever. Now, in dealing with the second argument first, I desire to point out what distinction there is between an ordinary Proclamation under this Bill and a special Proclamation. The distinction is this—that ordinary Proclamations are used for the purpose of bringing into being certain institutions which have a *quasi*-judicial character, although, to a large extent,

they are shams. To the second objection to the Amendment, that nothing is too hot or strong for criminal associations, there are several answers. The first and most obvious is, that if nothing is too hot or strong for criminal associations, why do you not make it part of the ordinary law of the land? Already the powers which the Judges have to declare any combination to be a criminal conspiracy are so large that, without presuming to discuss them now, it is perfectly obvious that no extended power is necessary to induce Judges to declare this, that, or the other to be illegal conspiracies. In addition to that, already the Committee has strengthened the law of the land in the most extraordinary manner. The Common Law ought to be sufficient to deal with any of these offences; but now the Government have power to have special juries; they have power to change the venue; they have power to take a case to County Antrim, where any 12 men you pick up on the road side would hang a Nationalist, whether they had evidence against him or not. In addition to that, the Government had the power of selecting from the special jury panels any 12 men whom they thought most certain to come to a verdict without deliberation or without evidence. All these powers enable the Government to deal perfectly with criminal associations; and I must also point out that, by the exercise of these patent methods for procuring convictions, they will be able to sentence prisoners to long periods of imprisonment. The imprisonment will be limited to six months, so that I am entitled to assume that the associations against which Sections 6 and 7 of this Bill are levied will not be really criminal associations, but those associations which it is desired for political purposes to put down. If these associations are not associations the membership for which should be punishable by any greater period than six months' imprisoment, is it reasonable to say they are not of such permanently bad character that a Proclamation in respect of them should have any greater run than one year? I do not think it is, and the object of my Amendment is, since the Government by their own Bill have declared they are not really criminal associations, that there should be at least once in 12 months the duty cast upon the Lord Lieutenant of satisfying his mind that that criminality does exist. Take, again, the illustration which the Chief Secretary put into my mouth. I recollect that on the second reading he talked about proclaiming certain branches of the League for Boycotting. That is not an offence which is perpetual. You may have a considerable amount of Boycotting at one part of the year and find that at another part it entirely disappears. In that case it is unreasonable a Proclamation should continue for longer than a year. If you look at Clause 6, you find that it is only within 14 days that any proceedings can be taken by Parliament against a Proclamation. After 14 days have expired a Proclamation passes out of the control of the House of Commons, and, so far as this Bill is concerned, there is no effective method prescribed by which to raise a debate on the continuance of the Proclamation. Another argument which I have to advance in favour of my Amendment is one which really ought to commend itself to Her Majesty's Government. They have declared that this is a measure to deliver the people of Ireland from the tyranny under which they are groaning; they say that as soon as this measure gets to a certain stage they intend to bring in a Land Bill which will produce an Arcadian state of peace and prosperity in Ireland. If they have any belief in the truth of their own assertion, it is unnecessary a Proclamation should continue for more than a year. My last argument is, that this Bill gives the Lord Lieutenant most extraordinary powers of himself declaring an association to be criminal. A Court of Justice must under the 7th section of the Act, on proof of the Proclamation being published in *The Dublin Gazette*, convict a prisoner who has been a member of the association of taking part in a criminal association. That is a very excessive power to use, a power which ought not to be given except in the most extraordinary circumstances, and it is a power which should not be exercised for any greater period than one year without the controlling review of this House. For these reasons I beg to move the Amendment.

Amendment proposed, at the end of the last Amendment, to insert the words "no such Proclamation shall continue in force for any greater period than one year."—(*Mr. Chance.*)

[*Eighteenth Night.*]

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): There is no reason whatever for the acceptance of this Amendment. If an association is an illegal combination according to the grounds mentioned in the clause, there is no reason why the Lord Lieutenant should limit the duration of the Proclamation which destroys the illegal combination.

MR. CHANCE: I am afraid I failed to make myself clear as to the distinction between this portion of the Act and the rest of the section. I deny altogether that a Proclamation ascertains or shows that an association is illegal. All the Proclamation ascertains or shows is that a certain association is, in the opinion of the Lord Lieutenant, a dangerous association. I desire to point out most clearly that the effect of a Proclamation is to withdraw from the purview of the ordinary Courts of Law all questions as to the legality or illegality of the particular association proclaimed. No lawyer who sits in this House will deny that questions of the legality and illegality of combinations or associations are amongst the most difficult questions known to the English law, and yet the Government seem to think that the Lord Lieutenant ought to be allowed to withdraw permanently from the review of the ordinary tribunals those most difficult questions.

DR. COMMINS (Roscommon, S.): The Solicitor General for Ireland (Mr. Gibson) has not touched the point at all. He seems to be under the impression that a Proclamation should be continued for ever. He might just as well argue that because a man has taken an emetic he should go on taking emetics the whole of his life. I hope this Amendment will be adopted; it can do no harm in any way. Let some hope be held out to the people who may be subjected to those Proclamations that if their conduct is good the Proclamation will be withdrawn.

MR. CLANCY (Dublin Co., N.): This is a very reasonable Amendment, and that is the very reason I think why it is rejected by the Government. My hon. Friend (Mr. Chance) who moved the Amendment took the wrong course, Mr. Courtney, when he put it in your hands. He ought first of all to have submitted it to the hon. and learned Gentleman the Member for Inverness (Mr. Finlay). No matter how reasonable an Amendment which is proposed from these Benches is, it is described as ridiculous and absurd, and instantly rejected. But let any Amendment be proposed by the hon. and learned Gentleman the Member for Inverness, and no matter how absurd or trivial it is, it has all the virtues in the world, and is immediately accepted by the Government, which lives by the permission of the hon. and learned Member for Inverness. If I might argue the question, I would like to point out that there is a precedent for the provision which it is now proposed to insert in the Act of Mr. Forster of 1881. This is simply a provision which would compel the Executive to review their action from time to time, and it gave them a whole year to see the effect of the working of that Act. Now, Mr. Forster, in his Act of 1881, compelled himself, as it were, to review his conduct not only every year, but every three months. There was not a single warrant issued under the Act of 1881 that Mr. Forster was not compelled by his own Act to review the policy of every three months; circumstances might have arisen, and afterwards did arise, which did compel the Government of that day to see that it was inexpedient that warrants issued three months before should continue in force any longer; and in the same way we contend that circumstances may arise under this Act which would render it wholly inexpedient and wholly unjust to continue in force a Proclamation which might be just and expedient at the time it was made. The rejection of this Amendment by the Government casts a pretty strong light upon their expectations as to the result of this Bill. The noble Lord the Member for South Paddington (Lord Randolph Churchill) said, the other day, that this Act and the results flowing from it would be the best present Her Majesty could receive on her Jubilee Day. One might expect from that, that good results would, in the judgment of the Government, at once flow from this Act. But it appears that by refusing this Amendment, which would compel them to review their conduct every year, they do not expect these results from it at all, but, on the contrary, expect a continuance of crime and outrage. If they

had any faith or belief in the efficacy of their nostrums they would adopt this Amendment. It is because they believe that this Act will enable them to do nothing else than to suppress political agitation and put down political opponents that they object to a reasonable Amendment like this.

MR. MAURICE HEALY (Cork): I congratulate the Solicitor General for Ireland (Mr. Gibson) upon the speedy manner in which he disposed of this Amendment. He has just delivered a speech which was as completely empty of anything in the shape of argument as if it had come from the Chief Secretary. We say there are several reasons why this Amendment should be accepted. We say, in the first place, it is a proper thing there should be some period fixed at which it would be incumbent upon the Executive in Dublin Castle to review their action under this Bill. We say that a Proclamation should not be eternal in its character. If this were a temporary Coercion Bill, of course no argument on this subject would lie in our mouths; but where we have a Coercion Bill which is supposed to be perpetual, then the only means of imposing a check is to secure that any action taken under it shall be from time to time reviewed by the Executive in Ireland. This is one reason why I think this Amendment should be adopted. A second reason is that, however dangerous and criminal an association is, it should not be forgotten that this is a Bill of exceptional methods and exceptional character, and that a time should come, be it sooner or later, at which any member of an association should have an opportunity of appealing from exceptional methods to the ordinary tribunals of the land. If the Government reviewed their Proclamation at the end of the year, it would be open to anyone to go to the ordinary Law Courts, and have it decided whether or not an association was illegal or not. The Solicitor General for Ireland (Mr. Gibson) argues that once it is ascertained that an association is an illegal association and comes under the category set forth in the head of this section, there is no reason why any limitation should be placed upon the duration of the Proclamation respecting it. I beg to differ from him on that point, and I think I can even quote a precedent on the subject which may not convince him, but which I think ought to. Assuming that an association is illegal, that association ought certainly to have an opportunity of divesting itself of anything in its methods or objects which is illegal, and of renewing itself, so that it may once more come within the pale of the Constitution, and be placed outside the description of a dangerous association. Let me ask right hon. Gentlemen opposite if they have forgotten the reply which the right hon. Gentleman the Chief Secretary gave the other day to a question proceeding from these Benches? His attention was called to a Resolution of this House relating to the Orange Society. The Committee is aware that so long ago as 1837 a Committee of this House thoroughly investigated the constitution of the Orange Body, and that they issued a most voluminous Report, in which they condemned that Body. They examined a large number of witnesses, and they came to the conclusion that the Orange Body was a Body of an illegal character. A Rule was therefore made—I do not know whether it was a Rule of this House or merely a Departmental Rule—which excluded from the Public Service of this country and of Ireland any person who belonged to the Orange Society. It was in reference to that Rule that a Question was asked of the Chief Secretary (Mr. A. J. Balfour). Hon. Members opposite were asked how they justified the appointment of the right hon. and gallant Gentleman the Member for the Isle of Thanet (Colonel King-Harman) to a position in the Government in face of that Rule, which practically made it illegal for anyone who belonged to the Orange Society to be appointed to any position in the Government or in the Public Service? Thereupon the right hon. Gentleman the Chief Secretary made a reply quoting an answer of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), and stating in effect that since the Committee of the House of Commons had come to that conclusion, the Orange Society had been renewed; that the original association which was in existence at the time that the Committee of the House had reported had been dissolved, that a new organization had been formed, and that everything of an illegal character had been cut away from it. We say, if it is a proper thing that the Orange

Society should get an opportunity of divesting itself of anything of an illegal character which might attach to it, the very same opportunity might be given, say, to the National League in Ireland, even if the Lord Lieutenant should take it upon himself to suppress that association. Suppose that, immediately after the passing of this Act, the Lord Lieutenant thinks fit to suppress the National League. The members of that organization might say—"Be it so; His Excellency has thought fit to suppress us. We will accept that decision of His Excellency, and we will, as long as his Proclamation is in force, abandon our organization. We will treat our Body as dissolved, and we will wait until the Proclamation expires." If a limit, say, of 12 months were put to the Proclamation, at the end of that time the members might come together and say —"We will re-form our organization, removing from it anything offensive, cutting off anything that is of an illegal character." I think that political organizations in Ireland should have a chance of this kind given to them; that an order of the Lord Lieutenant should not be taken to be final and irreversible; and that even though the Lord Lieutenant of the day did take that action with reference to organizations, and even though the House of Commons of the day sanctioned the Lord Lieutenant in his action when his conduct came to be discussed on an Address under the clauses of this section, even in the face of all these facts, all associations in Ireland, no matter what the state of politics may be, should have an opportunity of stripping themselves of anything of an illegal character, and of founding themselves upon a new and perfectly legal basis. I do not think any effective reply has been given to our arguments, and, that being so, I think my hon. Friend (Mr. Chance) would be perfectly justified in going to a Division.

Question put.

The Committee *divided*:—Ayes 138; Noes 230: Majority 92.—(Div. List, No. 243.) [5.35 P.M.]

It being after a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow*.

House adjourned at one minute before Six o'clock.

Mr. Maurice Healy

HOUSE OF LORDS,

Thursday, 16th June, 1887.

MINUTES.]—SELECT COMMITTEE — Rabies in Dogs, The Earl of Milltown *added*.

PUBLIC BILLS—*Second Reading*—Allotments for Cottagers (109).

Third Reading—Colonial Service (Pensions)* (98), and *passed*.

PROVISIONAL ORDER BILLS — *First Reading*—Gas* (123); Local Government (No. 3)* (124); Local Government (No. 4)* (125); Water* (126).

Second Reading — Local Government (Ireland) (Dublin, &c.)* (95).

Third Reading—Commons Regulation (Ewer)* (108); Commons Regulation (Laindon)* (107), and *passed*.

ALLOTMENTS FOR COTTAGERS BILL.

(*The Earl of Dunraven.*)

(NO. 109.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DUNRAVEN: My Lords, in asking your Lordships to give a second reading to this Bill I do not think it necessary for me to go at any great length into the merits of the principle of the Bill, or to say very much as to the advisability of doing an act of justice to the large class of agricultural labourers. That the legitimate and wholesome desire of that large and important class to obtain allotments should be as far as practicable gratified is, I am sure, an opinion which will be universally held in this House. The majority of the Members of this House are deeply interested in agriculture, and are thoroughly cognizant of all the requirements and necessities of the industry itself, and of all the classes engaged in it; and there is but little danger that the legitimate claims of that important class, or of those engaged in agriculture for wages, will be overlooked in your Lordships' House. Some time ago we had a considerable expression of opinion throughout the country against the artificial creation of small holdings at the expense of the ratepayers. My Lords, without going into the merits of that suffice it to say that such small holdings are a totally different thing to allotments in the sense in which I understand the term. My idea of an allotment is a plot of ground sufficiently large—and not too large—which an agricultural labourer

can cultivate in his spare time without interfering with his capacity as a wage-earner engaged in agriculture. I think the man's trade—the means by which he makes his living—must be his employment as a labourer, and the cultivation of his allotment must be looked upon as merely supplementary to his ordinary employment. I cannot think of anything more unwise, or, indeed, more reckless, than to endeavour to persuade agricultural labourers to turn into small farmers, depending upon the produce of their land, and earning a precarious livelihood by occasional working for wages. On the other hand, nothing can be more beneficial than labourers eking out their spare time in the profitable cultivation of small plots of ground. The capital of the labourer is his labour, and his capital ought to be invested in his business as a labourer; but we ought to give him the opportunity of investing his surplus capital, which he is unable to do now, having no field for its proper investment. I have specified in the Bill that the size of the allotment should not exceed one acre. I believe one acre is larger than the regular quantity, because experience and statistics show that half an acre is the favourite size for an allotment; but, in my opinion, an acre is not more than some men or some families could cultivate. It certainly is not large enough to tempt any man to give up his proper trade as a labourer. Therefore, I thought it advisable to put one acre as the maximum size at which an allotment can be obtained under this Bill. While speaking of allotments, let me say that, in my opinion, allotments should be placed as nearly as possible to the cottages occupied by the labourers, that they should be let at a reasonable and fair rent; that the demand for them should be a *bonâ fide* demand, and if it becomes necessary in any case to take up land compulsorily for the purpose of allotment no injustice or pecuniary loss should be inflicted on the owner of the land. I have endeavoured to bear these points in view in the Bill which I have brought before the House. As to the value of an allotment system, I think it is sufficiently proved in many ways by the Reports of Royal Commissions, by the Reports of Committees, and by the great mass of legislation upon this subject. Your Lordships know very well that this is not a new matter. It is a question that has attracted the attention of Parliaments and Governments of this country for an extensive period of time. There are three Reports which I wish to mention to the House, because they specially advocated extension of the allotment system. These are the Reports of the Poor Law Commissioners in 1834; the Report of the Select Committee of the other House in 1843, and the Report of the Royal Commission that inquired into the better housing of the working classes in 1885. My Lords, these Commissions and Committees reported very strongly in favour of that extension of that system of allotments, particularly on account of the incentive afforded, and of the encouragement they gave to habits of thrift, and of the effect they would have in keeping labourers off the poor rates, and also from a sanitary and educational point of view. It is not necessary to trouble the House with any reference to past legislation. Your Lordships are aware many Acts have been passed on this subject, some merely giving facilities for the acquirement of allotments, some giving compulsory powers, and some authorizing the raising of money for the purpose on the security of the rates. With the exception that these Acts have undoubtedly had a great effect in stimulating private effort—and there they had done good no doubt—they have comparatively speaking failed in their object, and for these reasons—that the machinery was rather cumbersome, that the authorities entrusted with the administration of the law did not adequately fulfil the functions entrusted to them. The only land available was not suitable land. The lands to be dealt with were, with one exception, charity lands and lands held in trust for the benefit of the poor, and the principles of compulsion and fairness in the matter of rent were not sufficiently recognized nor properly applied. In the Bill before your Lordships, I have endeavoured to avoid these mistakes, which, I think, have, practically speaking, neutralized the beneficial effects which were hoped for from former Acts. Compulsory powers I should like to say a word or two about, because I think compulsion in an Act of Parliament is justified only if the advantages to be gained are very great; if compulsion is necessary and does not entail hardship and injustice and

pecuniary loss, I believe all these requirements are fully satisfied in the present case. The benefits of that allotment system are very great, not only to cottagers, but to the whole community. As far as a labourer is concerned, they enable him to find profitable employment for his leisure time; they offer a great premium for habits of thrift, for industry, and for intelligence. They help a man to raise himself in the very best way in which a man can—that is to say, to help himself, and to enable him to rise in the social scale. These advantages would enable the labourers to live better from a material and physical point of view, and would enable them to live better also from a moral point of view. At the present time, when agricultural industry is overshadowed by a cloud of depression which shows no signs of a break, it is more important than it has hitherto been that a large class of the community should have an opportunity of supplementing the livelihood they make out of their industry, and should be enabled, if possible, to tide over periods when they may be thrown out of work, and so to avoid the necessity of breaking up their homes and invading the towns for the purpose of obtaining a livelihood. From an educational point of view, I believe the allotment system is important. Agricultural labourers as a class have large political powers, and the advantages of education ought surely not to be overlooked. I do not allude merely to the education of children at school, but I look to the education, the knowledge of grown men, as to their duties and responsibilities towards themselves, towards each other, and towards the State. That knowledge must be self-acquired, and should arise naturally from a feeling of respectability and responsibility, springing spontaneously in men's minds by the possession of some material interest in the country, and of some opportunity of raising themselves in the social scale. The knowledge referred to must be self-acquired, and it is best acquired by giving men that responsibility which is naturally associated with the possession of some stake in the country, and the use of it by men to better themselves and to raise themselves in the social scale. Labourers are not the only class engaged in agriculture who would benefit by the provision of allotments. It is scarcely necessary for me to dwell on the advantages to farmers and landowners in being served by willing and contented labourers. The fixing of labouring men to localities would in itself benefit employers of labour, and a large extension of the allotment system would benefit all classes of the country. In particular, it would discourage the influx of agricultural labourers to the towns, and that would be a benefit to the working classes in towns. The result of this would be to check and diminish pauperism in town and country. All these benefits were anticipated from allotments by a Committee which inquired into and reported upon the subject so long ago as 1843. That Committee spoke very strongly indeed of the effect the system would have in keeping men off the rates, and there is no reason to suppose that the beneficial effect which was anticipated then would not obtain now. Therefore, the effect of this system would be of distinct advantage to the ratepayers, so far as it tends to lower the rates; and the whole community must benefit also when on account of increased intelligence a large body of men, having political homes, have also education—which has, I believe, for some time been too much overlooked—for the preservation of increased bodily and physical health and strength. These would be great advantages to the large agricultural population, which, after all, may be well and truly said to constitute the backbone of this State and every other State. I have endeavoured to show what I believe to be to the benefit of this allotment system, properly used as a great boon and advantage to agricultural labourers, and to all classes engaged in agriculture to the working classes in towns and cities as well. And, my Lords, these great advantages can be obtained without any disadvantge or detriment to any other class in the country. I should like to make one quotation to your Lordships from the Report of the Committee of 1843, because it touches this case. They reported that the allotment system would be a practical means of benefiting those classes most dependent for their livelihood on labour, and that these peculiar advantages or benefits need not be obtained at the expense of any other class. I would not have troubled the House with that quotation, except that it describes

clearly the allotment system; and it is a Report of so long ago that it may possibly have faded out of the recollection of your Lordships. I have gone into that part of the subject because I am anxious to show that there are strong and solid grounds and reasons why compulsion should be used in this matter on account of the great advantages to be obtained for the whole community; and also because, being personally opposed to the introduction into an Act of Parliament of anything which interferes with liberty of action, I wish to show that, except as a last resource, there should be no such interference. In this case, compulsion is absolutely necessary. If this question is of sufficient national importance to justify legislation at all, it justifies adequate legislation; and, without the introduction of compulsory powers as a last resource, and properly safeguarded, no system of allotment can be adequate. I should infinitely prefer that no legislation be undertaken at all, than that legislation should fail in its objects. The objects of this measure are objects which have been discussed by the highest authority, such as I have mentioned already to the House, as having most beneficial effect from a sanitary point of view, from an educational point of view, and also from the fact that they are intended to diminish the rates. In so far as the allotment system can only prevent men going on the poor rates, I submit to your Lordships that a Bill of that kind may be looked upon as supplementary to the Poor Law, and ought to contain some higher principles. While I submit that the possession of an allotment is proved to have so good and salutary an effect from an educational and sanitary point of view, it is only just and fair to consider that a Bill dealing with this subject may be considered to form a part of the great mass of legislation dealing with sanitary and educational matters in which the principle of compulsion is contained. In this very matter, the principle has been made use of by Parliament. The trustees of charity lands have been compelled to make use of principle for the purpose of granting allotments. In the Act for the housing of the working classes, private individuals can be compelled to provide suitable land for the erection of cottages with gardens of not more than half an acre attached. The principle of compulsion, therefore, in respect to this very question of allotments, is by no means novel in legislation; and, even if it were, the great advantages to be gained by resorting to it fully justifies the use, where they are absolutely necessary, of compulsory powers, provided, of course, that the operation of such powers does not entail injustice or pecuniary loss. Hardship, loss, or injustice to owners of land are fully guarded against in the Bill. That an application for allotments should represent a *bonâ fide* want on the part of cottagers practically settled in a parish is provided for by Clause 3; and by the same clause compulsory power can be used only after every effort to do without it has been exhausted. Clause 4 and Sub-section 3 of Clause 5 guard fully against any interference with the enjoyment of possession, the amenities of any estate or dwelling. Under Clause 6 the original owner or his representatives have the right of pre-emption, and can, if the land bought from him be offered for sale, buy it back at the same price he received for it if he thinks fit. It is obvious that much hardship may arise in the event of cottages being built, perhaps speculatively, in the expectation that their value will be enhanced by the operation of an Act compelling someone else to attach allotments to them; but that evil is guarded against in Clause 15. Land rendered exceptionally valuable by any exceptional cause is excepted, and the possibility of an unfair quantity being taken from any one person is guarded against. Subject to these safeguards, it will be impossible for any landowner who may be obliged to part with land under the provisions of this Bill, should it become law, to complain with reason that pecuniary or other loss or injury has been inflicted upon him. No man can make a pecuniary loss if he obtains the same rents for allotments as he would obtain if these were farmed as parts of a whole farm. There are one or two other points to which I ought to call the attention of the House, and to which I hope your Lordships will give consideration if the Bill comes up in Committee. One of these points is the size of allotments to which I have already alluded. I am aware that an acre is a larger size than usual; but I do not think it an excessive size. Your Lordships will understand that in order to

prevent a number of allotments being united together, the Bill provides that not more than one allotment can be let to the same person. Then there is the question of County Authorities. When the Local Government Bill is passed, the representative County Boards constituted under it will constitute the authority to administer this Act if it becomes an Act. Meantime, it will be administered by the magistrates in Quarter Sessions. Boards of Guardians, being elected, more nearly approach in their constitution to County Boards and might naturally appear to be the proper authority to take charge of a measure of this kind; but the experience of the past shows that rural sanitary authorities have not been particularly successful in administering legislation similar to this. It is possible there might be a certain amount of jealousy and want of confidence between the labourers and their employers, the farmers, sitting on Boards of Guardians. For these reasons, and also because the labourers have a strong preference for taking their allotments from individual landowners rather than from Boards or Corporations, I have thought it better to take the magistrates in Quarter Sessions as the authority to represent County Boards. Another important matter is as to whether taxes, tithes, &c. should be paid directly by the occupants of allotments or by the County Authority under whom they hold. For one reason, I should desire that the allotment holders themselves should pay, because it would be a great advantage that they should be able to keep a sharp eye on the expenditure of public money. That would bring financial affairs practically home to them, because these affairs would immediately appeal to their pockets. The Bill will, however, make the County Authority liable for rates; because it is of primary importance that the value of the security should be as high as possible. There is nothing to prevent the County Authority from discriminating between the amount charged for rent and the amount charged for rates, which might be paid once a-year. As to the management of allotments, I have left that matter vague, because I thought it would be undesirable to interfere with the free action of the County Board. There are certain matters not specifically mentioned in the Bill which might with advantage be so mentioned, but which I thought I had better leave rather than hamper the action of County Boards. As to finance, the County Authority is primarily responsible as the power for borrowing money on the security of the county rates; but I have not thought it desirable to put anything into the Bill with respect to borrowing powers or anything of that kind, because I should not wish to deviate from our custom in this House. I think these are all the points to which I deem it necessary to call the attention of the House. There is, however, one other phase of the question about which I wish to say a word or two, and that is the great and voluntary efforts which have been made to extend the system of allotments, and the marked success which has attended those efforts. It may be said that legislation is not necessary and might be injurious, because it might put a stop to voluntary effort. I am convinced there is no danger whatever of that. The effect of legislation in the past has not been to discourage voluntary effort, but to give it a great stimulus. As far back as 1834, the Poor Law Commissioners reported so favourably of the voluntary system that they thought it ought to be adopted. Although in one sense the necessity for legislation diminishes in proportion as voluntary effort extends, in another sense the necessity increases, because the larger the number of allotments the greater seems the injustice felt by those who cannot get allotments at all, or who, if they can get them, cannot get them at reasonable rents. I should apologize for this Bill having fallen into the hands of a private Member. I regret that Her Majesty's Government have been unable to bring in a Bill dealing with this subject in view of its importance, and in view of the prominence given to it in the Queen's Speech from the Throne. The noble Marquess the Prime Minister (the Marquess of Salisbury) has explained two or three times to this House that, owing to the condition of Business in "another place," we cannot look forward with confidence to the Government dealing with the question this Session. These political difficulties do not in any way affect private Members, nor I hope will they prevent the Government from giving their support to this Bill. The Bill may not become law this Session.

If not, the agricultural labourers will be none the worse off than if it had not been introduced at all, and your Lordships' House will have done all in your power to confer a benefit upon a large and meritorious class of men. My desire is, without inflicting injustice upon anyone, that the agricultural labourer should have an opportunity afforded him of obtaining within a convenient distance of his house, at a reasonable rent, a plot of ground which he can cultivate in leisure time, and I am sure in that desire I shall have the entire sympathy of your Lordships' House. I therefore, with great confidence, ask your Lordships to give a second reading to this Bill.

Moved, "That the Bill be now read 2ª." —(*The Earl of Dunraven.*)

LORD BALFOUR (LORD-IN-WAITING) said, their Lordships were aware that the Government had already pledged themselves to deal with this subject, and he was authorized to say that that was a pledge from which the Government had no sort of idea of withdrawing, and which they had no desire to evade. As had already been indicated, the Government would have been ready to redeem that pledge had there been any reasonable prospect of the measure passing into law that Session. But there were strong reasons against passing a large number of Bills through their Lordships' House only to reach the threshold of "another place," and without any chance of being dealt with there. He was sure their Lordships would not expect him, on such a Bill as this, to enter into any great detail or exhaustive explanation of the intention of the Government of the way in which they proposed to deal with the subject. He must, however, say, although he was unwilling to find fault unnecessarily, that when a pledge of the Government was so distinct as it was on the subject, it seemed to him to be rather an unusual course, and one not at all for the convenience of the House, or for the general conduct of Public Business, for a Peer to introduce a Bill on a subject with which the Government were pledged to deal. As it was, however, now that the noble Earl had introduced the Bill, the Government would be glad if the House saw its way to pass the second reading; but, at the same time, he was bound to add that in so assenting to its being read a second time they were only to be considered as accepting it in principle, and that he would define as its principle that it gave permission to the local authorities to assist in providing allotments where they were required, and they did not wish to be held responsible for any of the details of the Bill, nor to the exact machinery provided for carrying it out. There was, for instance, a great deal to be said against the particular authority selected in the Bill for carrying out its provisions. Then, as to the size of the allotments, a considerable divergence of opinion might doubtless be expected to manifest itself. These, however, were matters for discussion in Committee. It did not seem either to be very consistent in some of its provisions, for if they would turn to the 5th clause they would find that the Local Government Board had considerable powers, while under another clause it was provided that the bye-laws made by the Local Authority had to go to a Secretary of State for confirmation. He only mentioned that, to show that under the peculiar circumstances the Government did not wish to be committed to any details of the Bill. At the same time, he could assure the noble Earl that the Government were fully conscious of the importance of the subject, and they were very unwilling, indeed, to throw cold water on what they regarded as a laudable effort. He would conclude by asking the noble Earl to postpone the next stage of the Bill for a considerable time, in order to enable them to see whether, by the removal of the block of Business in "another place," or by some other cause, it might not be possible that a Bill might be introduced on the part of the Government. The noble Earl had referred to what had been said with regard to a Bill on that subject not being introduced this Session. Now, he spoke from recollection on that point; but he understood that what had been said was that the introduction of such a Bill depended largely or entirely on the possibility of its being passed into law this Session.

THE EARL OF KIMBERLEY said, the Bill was so crude and imperfect that he was doubtful as to the wisdom of assenting to the Motion; but he hoped that the House, if it so far approved of

the principle of the Bill as to vote for the second reading, would make it clearly to be understood that they would go no further. Beyond affirming the principle, he himself certainly could not go; indeed, its provisions did not seem to have been fully thought out. The chief defect was in regard to the authority it proposed to create. He thought, however, that the County Authority might, perhaps be advantageously brought in to this extent—that they might confirm every single purchase made. That might be a necessary and wholesome check; but to give the County Authority an originating and initiating power, and to put into their hands the administration and collection of rents from a large number of labourers throughout the county, seemed to him to be a machinery that was quite certain to break down. He did not think either that the expense ought to be placed on the county rate; because that rate was raised over the whole county, and there were a number of parishes in which the labourers were already provided with allotments by voluntary efforts; and it would be most unjust to make such parishes pay for the allotment to be provided under the Bill in other parishes. The charge should rather fall on the immediate area in which the allotments were to be created. The allotments which it was really desirable to provide for labourers were allotments not exceeding about a quarter of an acre around their own houses. He was entirely in favour of the extension of allotments, but a considerable amount of exaggeration prevailed as to the enormous benefit which was likely to accrue from them. As one who had some experience in matters of the kind, he might tell the noble Earl (the Earl of Dunraven) that he would find that in practice the system would not justify all the great expectations he had formed of it.

Lord HENLEY said, he thought that, as to the question of whether allotments were required in a particular parish, the Court of Quarter Sessions would be a fair body for exercising a judgment. But for carrying out the details of the Bill, as in Clause 10, it would not be so suitable. He would ask, therefore, whether the Government approved of the Court of Quarter Sessions as the Local Authority to carry out that Bill? An important matter was that, under the 7th clause, the size of the allotments provided by the County Authority was not to exceed one acre, and that not more than one allotment was to be let to the same person. Were their Lordships to understand that the Government approved of the allotments being of so large a size as that? That might be all very well in parishes where there were not more than 30 or 40 persons who wished to have allotments; but it would not work well in large parishes where there were many more such persons. In these parishes the Bill might effect very large quantities of land. For himself, he thought an acre of land was too large an area for one man to care for, and the result would be that if large allotments were given, the labourers who received them would be drawn away from their work for the farmers, whose difficulties, already very great, would thereby be much increased—a result which he was sure their Lordships would deprecate. He would vote for the second reading of the Bill in the hope that a more suitable measure of the kind would be brought before them.

The Earl of CARNARVON said, he was glad that the Government had given a qualified assent to the Bill. Of course, there were many objections urged on the other side to certain points in the measure. That showed that great consideration would have to be given to its details when it went into Committee. He, himself, held exactly the same opinion as the noble Earl opposite (the Earl of Kimberley), and doubted extremely the fairness of putting the expenses on the rates for the whole county, and not restricting them to a more local and limited area. He did not think it would be difficult to provide a machinery in connection with the Court of Quarter Sessions that would manage those matters with satisfaction to those concerned. That measure involved a question of public policy, in which he had taken a great interest for the last 25 years. At the proper time, they might fully discuss the question as to the right size of the allotments, and the conditions upon which they should be given. A good many years ago there might have been, and no doubt there were, difficulties in many localities in obtaining allotments; but he believed that those difficulties, such as they were,

had absolutely vanished. He had had some experience of this matter. Only a few months ago he presided over a county meeting; and, as far as he could gather, it was doubtful whether there were any cases in the whole county where land had been refused. He believed that wherever a labourer of respectable character applied for land, he almost invariably had it granted to him. He thought, therefore, circumstances had greatly changed, and the difficulty that existed a few years ago did not really exist now. At the same time, he thought it was very desirable that, if necessary, there should be compulsion; because if they were to pass any measure of this kind without compulsion, it would be very inadequate legislation. At the same time, however, it was the business of their Lordships in Committee to examine closely into this part of the measure, and to see that compulsion was so guarded that no possible injustice could be inflicted by that provision. He was glad that his noble Friend (the Earl of Dunraven) had brought forward the Bill, and he trusted that, in spite of all the difficulties in "another place," it would become law that Session.

THE EARL OF JERSEY said, that he most decidedly approved of the provisions of the Bill, for he believed that it would tend to the lowering of the excessive rents sometimes demanded from labourers. While there were not many cases where allotments were wanted now, it was exactly in those cases where allotments were required that the Bill would be useful.

EARL STANHOPE said, he did not believe the measure could be effective without compulsory clauses. He was glad to hear that the Government had approved the principle of the measure, as it was most desirable to let some land in every parish at a reasonable rent for labourers' allotments. The Bill provided that allowances should be made for rates and taxes and fencing being paid for by the landlord in the rent charged. This was reasonable and the usual practice, and one he had always himself carried out. He believed the time had arrived when it was necessary for the good of the community that, where allotments did not exist, some indirect pressure ought to be brought to bear to provide them.

THE EARL OF WEMYSS said, he was distrustful of this compulsory kind of legislation; and if he wanted an argument against it he need only refer to the speech of the noble Earl who introduced it (the Earl of Dunraven), who admitted that great success had attended voluntary efforts in regard to the question of allotments, and who stated that all previous legislation upon the subject had failed. What was it their Lordships were asked to do? In assenting to the second reading, they would be committing themselves to a most dangerous principle—namely, the compulsory taking of land from one class, and at the expense of that class, to give to another class. It was not a rich man's question; it was a poor ratepayer's question. If the rich ratepayer was hardly rated, he could cut off a few luxuries; but the rates fell on the rich and poor alike; and by this Bill they were going to rate the poor ratepayer in order to find a house, or garden, or allotment for the man who was probably just as well off, if not better than himself. That was one of the principles of the Bill—a compulsory system of taking land from one man for the benefit of another. There was one further remark of the noble Earl (the Earl of Dunraven) which he heard with grave alarm. The noble Earl used these words — "An equitable rent." What was the meaning of that? It meant the introduction into this country of Irish legislation. No doubt it only applied to one acre; but did their Lordships suppose that if they once got in the thin end of the wedge, and had equitable rents fixed by the Local Authority, that the principle would be confined to allotments of one acre, and would not be extended to large holdings all over the country. In saying that, it must not be supposed that he was opposed to the allotment system. Such was not the case; on the contrary, he had done all in his power to encourage it wherever he could. The question of the extent of the allotment was a very difficult question; and it was stated by a gentleman of considerable experience—Sir John Lawes, the well known scientific agriculturist — that an eighth of an acre was the utmost that a labourer and his family could cultivate. He would enumerate to their Lordshps the Acts passed in recent years dealing with

this question. There was the allotments Act of 1882, the Labourers Cottages Allotments (Ireland) Act, 1882, while in Ireland there were the Labourers Act, 1882, the Labourers (Ireland) Act, 1883, and the Labourers Act (No. 2), 1885. Indeed, as soon as one Act had passed into law, the next Session of Parliament saw a fresh Bill introduced, because of the failure of the previous measure. Then, finally, as regarded Ireland, they had the Labourers (Ireland) Act of 1886. In addition to these Acts, there were three or four Bills now before Parliament dealing with the same subject. He hoped that when their Lordships saw on what kind of legislation this question embarked them, when they saw the kind of crop that was reared from those germs, they would make very sure of the ground on which they were entering before they went into Committee on the Bill. He would warn their Lordships that all these chickens they were hatching in Ireland would certainly come over to England to roost.

Lord BRABOURNE said, he supported the Bill without any fear of the compulsory powers which it introduced. He deprecated the language of those who said that they did not wish to prolong the discussion upon the Bill, inasmuch as he was of opinion that there was no subject that could be brought before their Lordships at the present time of greater importance than this. He would go further, and say that there was no subject on which so great an amount of nonsense had been talked of late years, although the nonsense might not have been all on one side. A great many philanthropists had been running about the country teaching that somehow or other allotments were to be a panacea for all the agricultural distress from which we had been suffering. That was one phase of the nonsense to which he alluded. He hailed with joy the warning sounded by the noble Earl on the other side (the Earl of Kimberley), who told the House that this system was not certain to be such an unqualified advantage as had been represented. There had been, from the very beginning of the controversy, a confusion between small holdings and allotments, and he was glad the House had not fallen into that confusion on the present occasion, but had kept to the question of allotments. He was bound to say that the complaint of a want of allotment ground was not universal, and the circumstances varied very much in different localities. He differed entirely from the noble Earl who spoke from the Cross Benches with regard to compulsion, because the possession of property was strengthened by the salutary application of compulsion to those who had not rightly understood the duties attaching to property, and although compulsion was in many cases unnecessary, its existence under proper safeguards and restrictions would be useful in arriving at a solution of this question. He had always held that it was the bounden duty of a landowner to afford to every labourer on his estate a sufficient amount of garden ground — call it what they would—on which to employ his surplus labour after his day's work; but when they came to the consideration of what that amount should be, he submitted that it was impossible in the nature of things to draw any hard and fast line. The quantity of land a man could deal with depended on the number of his family and upon the particular situation of his cottage. One thing he would venture to remark—namely, that the garden ground of which he spoke was, as a rule, given upon large estates, and that the cottagers who were not so provided were more often the occupiers of dwellings erected by persons who had run up cottages for speculation on small plots of ground, and who had not the land to give for such a purpose. Under all the circumstances he decidedly assented to the principle of compulsion. The discussion had shown that their Lordships were disposed to consider this question in a light most favourable to the agricultural labourer. Without pledging himself to any of the details in the Bill, he held that it was most desirable that allotments to labourers should be extended as far as possible, and that the time had come when compulsion should be employed in those cases in which landowners did not recognize their duty in this matter.

The Bishop of CARLISLE said, he would point out, in answer to the noble Earl on the Cross Benches (the Earl of Wemyss) that the phrase "equitable rent" did not occur in the Bill at all. What it said about rent was contained in the 9th clause, and a most business-

like clause it was. But although the term "equitable rent" was not in the Bill, the principle upon which the rent was to be adjusted appeared to be eminently an equitable one. Looking to the general question of the importance of the subject, which had been dwelt upon by every noble Lord, he was glad their Lordships had come to the conclusion that the Bill ought to be read a second time, simply as a testimony of their approbation to the general principle involved, and without pledging themselves to details. He believed an undivided acceptance of the Bill would have a very excellent moral effect upon those poor people throughout the country who were intended to be benefited by the Bill.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said: I entirely concur with the opinion as to the great benefit of allotments which has been expressed from every quarter of the House, and is shared by everyone who has any experience of rural affairs. So far as I have seen, I think the benefit of the system of allotments has been, if possible, more widely appreciated by the owners of land than by the holders of agricultural allotments.

THE EARL OF WEMYSS: Hear, hear!

THE MARQUESS OF SALISBURY: I mean that I think there are more people who are trying to get labourers to take allotments than there are labourers trying to get allotments for themselves. I am bound to say, with respect to the Bill itself, that, while that is my feeling, my view has been quite accurately represented by the noble Earl who spoke from the Front Bench opposite (the Earl of Kimberley). I am desirous that these allotments should be pushed in every legitimate way; and I think the Bill may be useful in these respects, though it is obvious from this discussion that several points have been raised on which considerable difficuties will occur. I am not going to say what the Bill of the Government will be; and, therefore, I will not speculate on the questions of principle which have been raised by the discussion, nor will I venture upon a positive opinion with regard to them. But I entirely agree with the noble Earl opposite who stated that an acre was not the quantity of land which was wanted by the agricultural labourer. We all know what is done in these cases. A field is cut into parts equal to an eighth of an acre each, and while it is possible to have applications for one, two, or even three-eighths of an acre from one man, it is my experience that the vast majority do not require more than one-eighth. I agree with what has fallen from the noble Earl—that we must be aware of any illusions on this subject. We are apt, I think, to exaggerate the advantages of legislation on these matters. We shall not get perfect education as the result of legislation on this subject, neither shall we get a complete sanitary system. And there is another illusion. You must not flatter yourselves that what you do with respect to allotments can be confined entirely to land of that kind. I think that the question of allotments and small farms is not separated by so broad a line as several noble Lords are inclined to flatter themselves by supposing. The small farmer, as well as the labourer, may think it very desirable that he should have, at a reasonable distance from his house, a small farm at an equitable rent, which would conduce to his sanitary advantage and to his education; and it is not very unlikely that, before long, we shall be discussing measures of that kind; for what we do for allotments we may find, some day or other, that it will be expedient to do some time with respect to small farms. But by far the more serious difficulty, and one that has been alluded to, is that which is raised by the selection of the Local Authority to whom you will entrust the administration of this Bill. If you take the Court of Quarter Sessions, or some Central Body not specially concerned in the matter, it is possible it may deal with it in a perfunctory spirit, and that no active result will follow; but, on the other hand, if power be given to a Local Sanitary Body such as the Board of Guardians, it is taking an optimist view if you think there is not some danger of abuse in the management of local funds, as well as some chance of disturbing the peace of the locality. I do not wish to suggest anything in derogation of these Local Bodies, to whom the country owes so much; but the general principle is undoubtedly just that the smaller and more restricted the authority with which you have to deal, the less it is exposed to the action of public opi-

nion, and the more likely it is to be faulty in consequence. I am afraid there would be serious financial perplexities involved in dealing with the question, and I do not think they are sufficiently appreciated. By the words "equitable rent," which I notice have been commented upon by the noble Earl on the Cross Benches (the Earl of Wemyss), my noble Friend, no doubt, meant the agricultural rent, or the ordinary rent of the district, whatever that may be. I apprehend, however, that the great want of allotments exists in the case of large country villages, or very small country towns. It is not the labourer whose house is in the middle of the field who is usually in want of an allotment, because he has nearly always a garden round his house; but it is the labourer who lives in a row in a large village or small town who needs it, and if he is to have an allotment at what my noble Friend is pleased to call an equitable rent, at a reasonable distance from his house, that would mean ground that, in the districts which I have described, is likely to be devoted to building or accommodation, and has a building or accommodation value attached to it. All over the country there are innumerable allotments let at rents which do not in the slightest degree represent interest on the fee-simple value of the land. They have been allotted on that system of mutual help among which is such an honour to the country; but, under a new state of things we did not know how long that will last, and if you have to rely on the mechanical action of the Central Body, you will be met with the really formidable problem, that if the interest on the fee-simple value of the land is larger than the rent the agricultural labourer is able to pay, you would have to decide who is to make up the difference? I do not wish to express an opinion one way or the other on the point; but it is a difficulty which noble Lords have not conceived, but which must be fairly met. My impression is that if you are going to enact that all over the country, setting aside large towns, that the labourer shall have, at a reasonable distance from his house, an allotment, at 40*s.* an acre or 10*s.* a rood, you will have to provide that either the county or parish rate shall make up the difference between the interest on the fee-simple of the land and the rent the labourer could pay. That is one of the reasons why the selection and the proper formation of a Local Authority is a matter of such extreme importance, and must be considered with very great care. I confess I should have preferred that we had been able to pass our Local Government Bill before we dealt with this question, for I doubt very much whether, with the present organization of the counties, you can do much with it in the shape of finding a fit authority to administer the measure. But I will not oppose the Bill on that ground, as, of course, the sceptical spirits on the other side would not believe us if we avowed that as a reason. That, however, is one of the reasons why I have been unwilling to introduce this subject as a separate question, and why I would rather wait until the propositions of the Government with regard to Local Government are, at least, before Parliament, and in some fair way of acceptance. In these circumstances, for the reasons stated by my noble Friend (Lord Balfour on behalf of the Government, I am willing that the Bill should be read a second time, but I must not be understood as approving its details.

The Marquess of Salisbury

Motion *agreed to;* Bill read 2ª accordingly.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16th June, 1887.

MINUTES.] — PUBLIC BILLS — *Considered as amended*—Deeds of Arrangement Registration [231-283].

QUESTIONS.

ARMY (AUXILIARY FORCES)—SHOOTING OF VOLUNTEERS.

MR. SALT (Stafford) asked the Secretary of State for War, What steps are taken to obtain a perfectly accurate register of the shooting of Volunteers, in cases where a Parliamentary grant depends upon the shooting; whether any instances have occurred of inaccu-

rate or falsified returns; whether any steps are adopted to secure a satisfactory record of shooting in the Militia Regiments, in all ranks of men, besides those who shoot for prizes; and, whether in all casses the shots marked on the target are examined independently of the reports or registers?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The best means are adopted which are found practicable for securing the accuracy of the Returns of shooting from Volunteer Corps; but often both the companies and the firing places are widely scattered, and it is most difficult to obtain the presence of an officer (who, unlike the Militia officer, is not paid for his services). Some changes are in contemplation which will, it is hoped, afford a greater certainty of accuracy. I am sorry to say that instances of falsified Returns have occurred. In the Militia the case is quite different. The officers are always present at the firing, and the same precautions are observed as in the case of the Line regiments. The Regulations require a frequent comparison between the targets and the register.

PUBLIC MEETINGS (IRELAND)—MEETING OF THE IRISH PROTESTANT HOME RULE ASSOCIATION AT KILKEEL.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland with reference to the Proclamation by Lord Kilmorey and his land agent of the meeting convened under the auspices of the Irish Protestant Home Rule Association, at Kilkeel, on 25th May last, Whether he is now aware that this meeting was convened by placard; whether he can mention on what date the placards announcing this meeting were first posted in and about Kilkeel, and on what date the placards summoning the opposition meeting were posted; whether the Proclamation was signed by Lord Kilmorey and his agent, Mr. Henry, acting together as magistrates on the very day of the meeting; whether he has any objection to furnish a copy of the information referred to in the Proclamation, the name of the informant, the name of the magistrate before whom it was sworn, and the time and place of swearing same; and, whether he will cause an inquiry to be made into the origin of the alleged counter-meeting, and into the conduct of Lord Kilmorey and his agent regarding the charges brought against them of having abused the office of magistrate by proclaiming a lawful meeting of their tenants and other persons to whom they were politically opposed?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the Kilkeel meeting was convened by placard. The placards announcing the meeting were first posted on the evening of the 21st, or on the morning of the 22nd of May, and those announcing the counter meeting on the 23rd of May. The Proclamation was signed as stated in the Question. A copy of the information referred to could be had by the hon. Member from the Petty Sessions Clerk of Kilkeel Petty Sessions district. The Lord Chancellor was in communication with the two gentlemen mentioned in the Question in connection with the suppression of the meeting.

MR. M'CARTAN: If it can be proved, as I believe it can, that there is a connection between the person who made the information and the Kilmorey estate office, and that this counter meeting was got up at the instigation of the two gentlemen who signed this Proclamation, will the Government grant an inquiry into the matter?

COLONEL KING-HARMAN: As I have said, the Lord Chancellor is in communication with the two gentlemen; and, pending the answer, I do not think any action of the Government would be fair.

MR. M'CARTAN: The reason I asked the question is because the Chief Secretary stated that the first meeting was not convened by placard; and as we cannot depend on the sources whence the right hon. Gentleman gets his information, the only way justice can be done is to have a public inquiry into the matter.

SCOTLAND—NEWSPAPER CORRESPONDENTS—THE SUPERINTENDENT OF POLICE IN STORNOWAY.

DR. R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, Whether it is a fact that the Superintendent of Police in Stornoway acts as local correspondent to several news-

papers; and, if he does so, is it in accordance with the rules of the Service?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): In the year 1885 the Superintendent of Police at Stornoway did supply some information to the Press in regard to a calamity which caused loss of life at sea; but being informed that it was unwise for an officer of police to supply even such news to the Press, he has never made any communication of any kind to the newspapers since that time.

SCOTLAND—DISTRESS IN THE WESTERN HIGHLANDS AND ISLANDS.

DR. R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, Whether, in view of the declaration made recently, at a meeting of the Free Church Synod of Glenelg, that exceptional distress prevailed among the crofters and cottars in the West Highlands and Islands, and that many are so impoverished as to cause the said synod the gravest anxiety, that, in fact, many of the people are without food and short of seed, it is the intention of the Government to inquire into the matter, with the view of affording such assistance as may be necessary to relieve the necessities of the inhabitants of the district referred to?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Secretary for Scotland has directed an inquiry to be made into this matter. But, in the meantime, I may state that Her Majesty's late Government, on an application made last year on behalf of the crofters of Kulmuir, in Skye, setting forth similar grounds for asking the State to supply seed oats and seed potatoes, declined to entertain it.

SCOTLAND—PUBLIC HEALTH—INSANITARY CONDITION OF THE HARBOUR OF INVERGORDON.

DR. R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, Whether it is the case that the harbour of Invergordon is, from a great accumulation of filth, mud, and decayed matter therein, a standing nuisance and a serious danger to the health of the inhabitants of the town; whether the Police Commissioners of the Town have delayed or refused to act in any way to compel the said owner to remove the nuisance; whether the Board of Health in Edinburgh has been twice appealed to to stimulate said Commissioners to do their duty in the matter; and, whether he will cause steps to be taken at once, before the hot weather sets in, to compel those Commissioners to call on the owner to remove the nuisance?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have received some information on this matter; but it is necessary to obtain further information, for which I have asked. A reply has not yet been received. I have, therefore, to ask the hon. Member to repeat the Question on Monday.

SCOTLAND — CROWN LANDS IN ORKNEY.

MR. MACDONALD CAMERON (Wick, &c.) asked the Lord Advocate, Whether the Crown has any lands in Orkney; and, if so, whether any "Superior" Duties are collected on its behalf, and by whom, and at what expense?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Crown has no lands in Orkney. There are certain "superior" duties and teinds collected on its behalf by Mr. James Barnett, the local officer of the Woods and Forests Department at Kirkwall. The expense of collection, including office and store rent, is about £130 per annum.

POOR LAW (ENGLAND AND WALES)—DEPORTATION OF A PAUPER FROM ENGLAND TO IRELAND

DR. COMMINS (Roscommon, S.) asked the President of the Local Government Board, Whether, on the 4th of June instant, an order was made by the police court of Bishopwearmouth, in the County of Durham, for the removal to Roscommon Union, in Ireland, of one James Hanby, who had then become chargeable to the Union of Sunderland; whether James Hanby had left his native place in the County of Roscommon 39 years ago, and has, ever since, been working and resident in some part of Great Britain; whether similar removals to Ireland of persons who have spent the greater part of their lives in Great Britain are matters of common occur-

rence, and have recently been on the increase; and, whether it is the intention of the Government to bring forward any measure to remedy the grievance which such removals inflict both upon the paupers so removed, and upon the ratepayers of the Unions to which they are removed?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's) (in reply) said, an order has been made for the removal to Ireland of James Hanby from the Sunderland Union, where he had resided only three days prior to becoming chargeable to the rates. When he applied for relief he stated that he left Ireland nine years ago; but in his examination he stated that it was 39 years ago. According to his own statement, he had not remained 12 months in any one locality. The Local Government Board have no knowledge that the number of removals to Ireland of persons who have resided for some length of time in Great Britain has recently been increasing. He could not hold out any expectation that a measure on the subject of removals would be brought in this Session.

MARKET RIGHTS AND TOLLS—CONSTITUTION OF THE ROYAL COMMISSION.

MR. BRADLAUGH (Northampton) asked the President of the Local Government Board, Whether he can now state the names of the Members of the Royal Commission on Market Rights and Tolls?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, he hoped to be able in a few days to communicate to the House the names of the Members of the Royal Commission.

WAR DEPARTMENT—STORES—SUPPLY OF CEMENT TO TRINCOMALEE.

GENERAL SIR WILLIAM CROSSMAN (Portsmouth) asked the Secretary of State for War, Whether it is the case, as stated in *The Army and Navy Gazette* of Saturday last, that out of a quantity of cement supplied from England for work connected with the fortifications of Trincomalee, 300 barrels were found to be useless, and some 2,400 more of most inferior quality; if so, whether the cement was tested before it was sent out, who is the officer responsible for the purchase, and who is the contractor who supplied it?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said, in November last the Commanding Engineer in Ceylon reported that the cement sent out for the works at Trincomalee was of inferior quality, both as regarded weight and tensile strength; but it was subsequently admitted that the tests had not been properly applied. As this cement had been very carefully tested before being sent out, and had been found fully up to the standard, orders were given that some of the material complained of should be sent home for analysis. Specimens have just arrived, and the weight is found fully equal to the standard. The test for tensile strength cannot be made for several days, as the cement has to be under water for that time before being subjected to strain. The cement was supplied by Messrs. Robins and Co., of Northfleet, and was inspected by Mr. Collins, Surveyor in the Royal Engineer Department.

LAW AND JUSTICE (SCOTLAND) — SHORTHAND WRITERS IN THE COURT OF SESSION.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, Whether certain judges of the Court of Session have appointed certain shorthand writers to act in their respective Courts, to the exclusion of others equally qualified; if so, under what Act such appointments are made; whether the shorthand writers so appointed are paid by litigants; and, what precautions exist to prevent overcharges under the monopoly established?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Lords of Session and the Sheriffs have by Act of Parliament the responsibility imposed upon them of seeing that shorthand writers employed to record evidence in trials are satisfactory as regards skill. This matter is left entirely to their discretion; and, considering that the Judges of the Court of Session have to certify the notes of evidence as correct, it seems indispensable that they should be allowed to select shorthand writers of whose skill they have satisfactory assurance. The Acts of Parliament under which shorthand writers are employed

in trials are 24 & 25 *Vict.* c. 86, 29 & 30 *Vict.* c. 112, 37 & 38 *Vict.* c. 64. The expenses of the shorthand work is borne by the litigants. The expense is subject to audit by the Court auditors in the same manner as the other costs of litigation.

EGYPT—THE ANGLO-TURKISH CONVENTION.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Under Secretary of State for Foreign Affairs, Whether there is any arrangement in or connected with the Anglo-Turkish Convention regarding Egypt, by which the Turkish Government is to obtain any financial advantage in the shape of a fresh loan, or otherwise; and, whether the International obligations, danger of failure of which is to bring about fresh intervention in Egypt, include the payment of the bondholders, or the maintenance beyond the present term of International Courts, with power to enforce the bonds on the Egyptian Government?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): It would be much more convenient and regular that these Questions should be deferred until the Convention and Declaration can be laid before Parliament. This country has entered into no pecuniary obligations in connection with the Turkish Convention.

THE ROYAL COMMISSION ON IRISH PUBLIC WORKS—COMMERCIAL HARBOUR ACCOMMODATION.

MR. SEXTON (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Royal Commission on Irish Public Works will inquire into the question of commercial harbour accommodation; and, whether such an inquiry is held to be within the scope of the order of reference to the Commission; and, if not, whether, considering the urgent representations on this subject made in recent years by Irish public bodies, especially with reference to the western coast of Ireland, the Government will cause the issue of a supplementary warrant directing the Commission to inquire and report as to harbour accommodation for commercial shipping in Ireland?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The question of commercial harbour accommodation does not come within the scope of the Order of Reference to the Royal Commission on Irish Public Works. The Government cannot undertake to advise Her Majesty to extend the scope of that reference.

LOCAL TAXATION (IRELAND)—COLLECTION OF POOR RATE IN KILKENNY—THE DOMINICAN ABBEY AND FRANCISCAN FRIARY.

MR. MARUM (Kilkenny, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to certain proceedings in reference to the poor's rate taxation of certain premises in Kilkenny city—namely, the Dominican Abbey and the Franciscan Friary, which are occupied by mendicant friars having no individual property or property in common therein; whether he is aware that no rates for the relief of the poor have been levied thereupon for a period of forty years past, but were treated as irrecoverable, inasmuch as the liability itself is a moot question, supplementing the difficulty of collection; whether the auditor of the Local Government Board of Ireland has recently addressed a letter to the poor's rate collector of the Kilkenny Division of the Kilkenny Poor Law Union, threatening to surcharge him with the sum of £4 9*s.* 3*d.*, being the amount of the current year's applotment of poor's rate, in case he shall fail to enforce payment thereof; whether, subsequently, at a meeting of the Board of Guardians, the following resolution was proposed by the Mayor, seconded by Mr. Walsh, T.C., and unanimously agreed to:—

"That as the clergy of the Dominican Abbey and Franciscan Friary in Kilkenny have no property in common or individually, nor fixed salary for support, we think the collectors should not collect the rates for the property in these cases, nor the solicitor take any action against them in the cases;"

and, whether, under all the circumstances, he will direct the auditor to suspend action upon his letter, pending the determination of a court of law of the liability of these premises to poor's rate assessment, and the ascertainment of the rights of all parties?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The auditor's letter to the Guardians relating to the liability for rates of certain religious houses in Kilkenny was as indicated in the Question. The poor rate collectors were bound to collect all the rates assessed in their districts, and the Guardians had no power to exempt from rates any buildings not legally exempted. But he fully appreciated the peculiar circumstances of the present case; and he would undertake that no action should be taken by the Local Government Board authorities until these clergymen had taken steps in a Court of Law to establish their non-liability. He assumed that they would do so as soon as possible.

IRISH LAND COMMISSION — SITTING OF SUB-COMMISSIONERS IN COUNTY MONAGHAN.

MR. P. O'BRIEN (Monaghan, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, When the Land Commissioners will hold their next sitting in the County of Monaghan; whether he can state the total number of cases at present listed for hearing in that county, and the names of the landlords, with the respective number of cases in which they are interested; whether he can state the number of evicted tenants whose cases await hearing, and the proportion of those who were evicted since the service of the originating notices on their landlords to have a fair rent fixed, and give the names of the evicting landlords; and, whether, considering that the Commission at its last sitting only disposed of an average 470 cases per month, the great increase in the number of cases now awaiting settlement, and the further fact that a considerable number of the present applicants are evicted, and would therefore suffer very seriously by further delay in the hearing of their cases, the Government will see that increased facilities are afforded for more rapidly disposing of those applications to have a fair rent fixed?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: No date has yet been fixed for the next sitting of a Sub-Commission in County Monaghan; but there will probably be one in November next. The last sitting commenced on the 11th of January, 1887, and lasted till the 7th of February; there were 132 cases disposed of then. No list for next sitting has yet been prepared, but there are 1,644 cases awaiting trial; of these, 899 are on the estate of Mr. Sewallis E. Shirley; 347 on the estate of the Marquess of Bath; 158 on the estate of Mr. H. H. Shirley; and 60 on the estate of Mr. D. M. A. Hamilton. The remainder (180) are distributed over the estates of 55 other persons. Of the 1,644 cases now awaiting trial, 973 were received in April and May last. There are no means of giving the information sought for regarding evicted tenants. The Government are unable to undertake to give the increased facilities suggested, as this could only be done to the detriment of other counties.

WAR OFFICE—THE REVIEWS AT ALDERSHOT AND IN LONDON.

VISCOUNT EBRINGTON (Devon, Tavistock) asked the Secretary of State for War, Whether any provision will be made for Members of the House who desire to witness the Reviews at Aldershot and of the Volunteers in London?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): As regards the Review at Aldershot on the 9th of July, a stand will be erected on which it is proposed to assign 400 places for the use of Members of this House. Tickets for this stand are now being printed, and will be sent to Mr. Speaker as soon as they are ready, unless the right hon. Gentleman wishes someone else to make the distribution. I am afraid that such an arrangement as this is impracticable for the 2nd of July, when the Volunteers will merely march past Her Majesty at Buckingham Palace, and return through the streets by different routes to their respective head-quarters.

VACCINATION—ORIGIN OF THE VACCINE MATTER IN PRESENT USE.

MR. BURT (Morpeth) asked the President of the Local Government Board, Whether the vaccine now in use is obtained by the inoculation of the cow with matter from the human subject in small-pox; whether such variolous vac-

cination was declared to be contrary to law by the Irish Local Government Board in 1879; and, whether the Local Government Board agree with that declaration?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, it was not the fact that the vaccine now in use was obtained in the manner referred to in the Question of the hon. Gentleman.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—SUSPENSION OF EVICTIONS IN IRELAND.

MR. A. E. PEASE (York) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the fact that the celebration of Her Majesty's Jubilee will take place next week, he will issue instructions for the suspension of all evictions in Ireland, from the 19th to the 26th of June, inclusive?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Government have no power to issue instructions for the temporary suspension of evictions in Ireland, as suggested in this Question.

MR. DILLON (Mayo, E.): Have not the Government got the same power with regard to evictions as that they possess with reference to the liberation of naval and military offenders?

MR. MAC NEILL (Donegal, S.): Have not the Government the same power to suspend evictions as they have on Good Friday and Christmas?

[No replies.]

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE METROPOLITAN POLICE COURTS.

MR. C. HALL (Cambridge, Chesterton) asked the Secretary of State for the Home Department, Whether it is proposed to keep open the Police Courts of the Metropolis on the 21st of June next?

MR. BURDETT-COUTTS (Westminster) asked the Secretary of State for the Home Department, Whether, considering that all other Courts of Law are to be closed on the 21st June, he will consent to close the Metropolitan Police Courts, in order that the magistrates and officials of those Courts may participate in this occasion of public thanksgiving, and the police engaged in them may be set free, either for duty in the streets, or for enjoyment of the holiday?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I will answer this Question and that of my hon. Friend the Member for Westminster at the same time. The 21st having been proclaimed a Bank Holiday, and not a day of Thanksgiving, the attendance of the magistrates at the Courts is required by Statute; and I have no power to dispense with the obligation. The magistrates must exercise their own discretion as to the best and most convenient mode of conforming to the law.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked, whether the Government could not proclaim the 21st of June a Thanksgiving Day instead of a Bank Holiday?

MR. MATTHEWS said, he did not think that there would be any insuperable difficulty in issuing a fresh Proclamation, and such a step had been under the consideration of himself and the Privy Council. The Society of Notaries had pointed out that the effect on negotiable instruments was different according as the day was a Bank Holiday or a Thanksgiving Day. In the case of a Bank Holiday, where the days of grace expire on that day, a Bill is not payable till the ensuing day; but by some odd legislative anomaly, for which the House of Commons was responsible as much as anybody, bills due on a Thanksgiving Day were payable the day before, and to all banks that made a difference of two days. Bankers, and persons liable for bills of exchange, had already made their arrangements for meeting bills expiring on the 21st of June, on the assumption that it was to be a Bank Holiday. Her Majesty's Government had thought it so inconvenient to introduce the change that they had shrunk from doing so, although they deeply sympathized with the object of hon. Members who had suggested the alteration.

SIR WILFRID LAWSON (Cumberland, Cockermouth): May I ask the right hon. and learned Gentleman, whether he will consider the desirability of shutting up the public-houses on that day?

MR. BURDETT-COUTTS (Westminster): May I ask the right hon. and learned Gentleman, whether he will

be able to make any efforts to secure the closing of the Police Courts on the 21st of June?

MR. MATTHEWS: I have pointed out already that the obligation is statutory, and I have no power to dispense with the provisions of a Statute.

LORD HENRY BRUCE (Wilts, Chippenham) asked the First Commissioner of Works, Why the whole of Westminster School has been turned out of Westminster Abbey for the Jubilee Thanksgiving; and, whether an exception could not have been made in favour of the Queen's Scholars?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University), in reply, said, that in a letter from the Lord Chamberlain to the Dean of Westminster, the Dean was requested to provide for the representatives of the Church and the Universities, and that a representative body of masters and boys of St. Peter's College, Westminster, should also be admitted. He was informed that the Dean had accordingly invited the head masters and their wives and 20 of the boys.

MR. CAVENDISH BENTINCK (Whitehaven): May I ask the First Commissioner, whether he is aware that the boys of Westminster School, according to ancient custom, had the privilege of attending Her Majesty's Coronation? I, in fact, attended Her Majesty's Coronation, in the capacity of a Westminster boy; and I wish to ask my right hon. Friend whether it is not reasonable that, on this occasion, the same privilege should be accorded to the Westminster boys?

MR. LABOUCHERE (Northampton): Would the right hon. Gentleman state how many tickets the Dean and Chapter received?

MR. PLUNKET: With regard to the last Question, I cannot answer it. The allotment of tickets does not fall within my province. With regard to the Question of my right hon. Friend (Mr. Cavendish Bentinck), I was not aware that he was such an old boy. I should not have thought it possible. I do not know how he got into the Abbey at Her Majesty's Coronation. All I can say is that the Abbey has been handed over by the Dean to the Lord Chamberlain for the purpose of distributing these tickets, he has sent a certain number to the Dean. Acting on the Dean's advice, he has confined the tickets to representative boys. I do not think it is reasonable to expect that all the boys, old or young, should get in.

MR. LABOUCHERE: Perhaps the noble Lord the Vice Chamberlain (Viscount Lewisham) will be able to answer the Question with regard to the number of tickets sent to the Dean and Chapter?

[Viscount LEWISHAM not being present, no reply was given.]

BARON DIMSDALE (Herts, Hitchin) asked the Postmaster General, Whether arrangements can be made for giving a holiday to the telegraph clerks both in London and the Provinces on Tuesday, 21st June, or, at all events, making such alteration in the hours of attendance as may give the telegraph clerks the free use of a greater portion of the day, as is now the case on Sundays, Christmas Day, and Good Friday?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I regret that the exigencies of the Public Service, so far as I am able to anticipate them, both in respect of messages for the Press and of ordinary messages, will be such as to render it impossible for the telegraphists, either in London or in the Provinces, to obtain a holiday on the 21st instant; but I have given instructions that as much relief shall be afforded to them as circumstances will allow.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Vice President of the Committee of Council on Education, Whether he is aware that the Civil Service Writers employed in the Education Office, Whitehall, have been officially informed that they will not be admitted to the office on Jubilee Day; and, whether a similar Order has been issued to any other section of the clerical staff of the Education Office; if not, upon what grounds this distinction has been made?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford), in reply, said, these persons, who were hired by the day, had been informed that their services would not be required on Jubilee Day, but that they would receive their ordinary pay. The writers were occupied in a back room, so that if they did attend they would have been employed in their usual duties.

LORD HENRY BRUCE (Wilts, Chippenham) asked the Secretary of State

for the Home Department, Whether Her Majesty will grant an amnesty to selected civilian offenders, so that a similar act of clemency and grace may be extended to them on the Jubilee Day as has been shown to some Naval and Military offenders?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No naval or military person who has offended against the Civil Law has had any clemency extended to him on the occasion of the Jubilee; and I do not propose to offer any advice to Her Majesty with respect to civilian offenders.

MR. DIXON-HARTLAND (Middlesex, Uxbridge) asked the First Commissioner of Works, Whether it would not be possible to number the seats on the stand, and allow them to be balloted for in pairs?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University) assured his hon. Friend that he had carefully considered that question, and he would willingly fall in with his proposal if he were not satisfied that it would be more inconvenient than the course which he had adopted. As he had already pointed out, there would be stewards to show the places, and Members and their friends would go forward to the front as they arrived.

MR. DIXON-HARTLAND said, that this would be the only stand not numbered, and it would be a case of first come first served. It would be a great convenience if his suggestion could be adopted.

MR. PLUNKET said, he had asked the opinion of many gentlemen on the subject, and had found great difference of opinion; but he had taken what appeared to him to be the best course.

MR. PICTON (Leicester) said, he believed there were some 35 clerks in the service of the House for whom no accommodation had been provided.

MR. PLUNKET said, that he had been misinformed when he had stated the other day that all the officers of the House of Lords would be accommodated with places in the Abbey. He should be glad to consider the claims of these officers of the House of Commons to any seats which might not be occupied by Members.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Postmaster General, Whether it would be consistent with the public convenience, and confer a great boon on a deserving class of public servants, to dispense with the last evening delivery of letters throughout London and its suburbs on Jubilee Day? The hon. Member said, he wished to make a strong appeal to the right hon. Gentleman on this matter, and pointed out that whilst a good many of the suburban residents would be absent from their houses in the evening the work of postal delivery would be attended with inconvenience and even danger in the crowded thoroughfares.

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I am glad to be able to inform the hon. Member that, taking into consideration all the facts of the case, I have cancelled the order for effecting an evening delivery in London on Jubilee Day, feeling sure that on that occasion the public will be not unwilling to submit to this further limitation of postal facilities under the special circumstances.

STATIONERY OFFICE CONTRACTS.

MR. A. E. PEASE (York) asked the Secretary to the Treasury, Whether it is a fact that in all the conditions applicable to contracts with the Stationery Office, it is specified that contractors are required to have a convenient office in London; and, if so, whether this condition is designed to exclude all persons whose business is exclusively in the country from tendering, even where the work could be as well done as in London, and at cheaper rates?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): No, Sir; the stipulation referred to is not inserted in all Stationery Office contracts, but only in those cases in which inconvenience to the Public Service might arise if facilities did not exist for immediate personal intercourse on occasions of urgency.

ECCLESIASTICAL COMMISSIONERS — VACANT SPACE NEAR BREAM'S BUILDINGS, CHANCERY LANE.

MR. CHANNING (Northampton, E.) asked the right hon. Baronet the Member for West Essex, as an Ecclesiastical Commissioner, Whether he can state to the House at what date the negotiations between the Kyrle Society and the Ecclesiastical Commissioners, with respect to allowing the children of the

neighbourhood to play in the vacant space near Bream's Buildings, Chancery Lane, commenced; when they are expected to conclude; and what, if any, are the difficulties which hinder or delay their conclusion?

SIR HENRY SELWIN-IBBETSON (Essex, Epping): The negotiations with the Kyrle Society have, I am aware, been going on for some time. They are suspended at present, at their request, until the area which is not likely to be required for building has been defined. Within the last few days a proposal has been made to purchase the whole site, which I have every reason to believe will be carried to a successful issue in a few days. I hope to be then in a position to give full information to the hon. Member; and if he will allow me, I will, the moment I am in that position, communicate with him on the subject. I can promise the hon. Member that no delay that I can prevent shall take place in the matter.

THE PARKS (METROPOLIS) — THE REGENT'S PARK—THE ZOOLOGICAL AND TOXOPHOLITE SOCIETIES.

MR. LAWSON (St. Pancras, N.) asked the Secretary to the Treasury, Whether the gardens of the Royal Botanic Society and the grounds of the Toxopholite Society form part of the Regent's Park; if so, whether the Commissioners of Woods and Forests have any powers of control over these Societies; whether 729 free passes only were given to artists, medical and other students, during the Session of 1886, by the Royal Botanic Society; and, if it is possible to open the grounds to the public, under certain conditions, on public holidays or at stated times?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The gardens and grounds in question are held under leases from the Commissioners of Woods, and the Commissioners have no powers of control, under those leases, over the Societies, so long as the conditions of the leases are observed. I am informed that the number of free passes given during the Session of 1886 to artists, medical and other students, is correctly stated by the hon. Member. It rests entirely with the Societies to say when, and under what conditions, the public shall be admitted.

EVICTIONS (IRELAND)—EVICTIONS AT BODYKE, CO. CLARE—CAPTAIN E. W. D. CROKER.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Parliamentary Under Secretary to the Lord Lieutenant of Ireland, Whether Captain Edward W. D. Croker, now Sub-Sheriff of County Clare, and officiating at the evictions at Bodyke, is the same Captain Croker who was Governor of the Central Prison, Cyprus, and dismissed by Lord Derby for pecuniary irregularities, and is still an uncertificated bankrupt; and, if so, whether the Lord Lieutenant will cause inquiry to be made of the Sheriff of Clare as to Captain Croker's appointment?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet): The responsible officials of County Clare have no knowledge as to the accuracy of the allegations contained in this Question. The Sub-Sheriff is not a Government official; and the High Sheriff, who appoints him on his own responsibility, is entirely and solely responsible for the acts of his deputy. The Irish Government do not consider it within their province to inquire into the antecedents of a Sub-Sheriff, unless some specific charges, for which substantial grounds are given, are brought against him.

MR. ARTHUR O'CONNOR: I wish to know, is the right hon. and gallant Gentleman aware that this Captain Croker, while Governor of the Central Prison, Cyprus, furnished fictitious vouchers for a sum of £36 10*s.* as paid for stores, and when challenged by the auditor furnished additional fictitious statements, and was subsequently dismissed from Cyprus in consequence of a still more serious scandal?

COLONEL KING-HARMAN: Two years ago the hon. Member for Donegal asked Mr. Evelyn Ashley an identical Question; and if the hon. Gentleman will refer to that Question he will find the answer he seeks.

MR. ARTHUR O'CONNOR asked, whether, as a matter of fact, it was not the duty of the Sheriff to appoint only a fit and proper person to be his deputy; whether, as a matter of fact, he did not take an oath to that effect on taking office; and, whether it was not in the province of the Lord Lieutenant to see

that only fit and proper persons were employed by the Sheriff?

COLONEL KING-HARMAN said, what he intended to convey was that if any specific charge was supported in a substantial way against Mr. Croker, or any person acting like him, he supposed the Government would proceed in the matter. He did not see how the Government could accept vague charges as a matter of inquiry.

MR. ARTHUR O'CONNOR: Will the right hon. and gallant Gentleman cause an official inquiry to be made, first of all, to the War Office authorities, and, secondly, to the Colonial Office authorities, as to the proceedings of Mr. Croker when he was in Cyprus?

MR. P. J. POWER (Waterford, E.) asked, was it not a fact that when the hon. Member for South Dublin (Sir Thomas Esmonde) appointed Mr. Strange as his Sub-Sheriff for County Waterford the Government took exception to the appointment?

COLONEL KING-HARMAN: I believe in the case the hon. Member refers to a specific charge was made against the Sub-Sheriff. ["No, no!"]

MR. P. J. POWER: There was no charge; but he was what is called an advanced Nationalist.

SOUTH AFRICA—PONDOLAND.

MR. DILLWYN (Swansea, Town) asked the Secretary of State for the Colonies, Whether he has received from the Pondos an application to be taken under British protection; and, if so, what answer Her Majesty's Government have made to their request?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): No such application as the hon. Member refers to has been received. The position of Her Majesty's Government towards Pondoland was fully explained in my answer to my hon. Friend the Member for North Hackney (Sir Lewis Pelly) on the 21st of March last. Briefly, Her Majesty's Government exercise a protectorate over the coast of Pondoland, and consider the whole country as being under their influence.

CRIME AND OUTRAGE (IRELAND)—THE POLICE AT FEAKLE, COUNTY CLARE.

MR. M. J. KENNY (Tyrone, Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, If the attention of the Irish Government has been called to the conduct of the police at Feakle, County Clare, on Sunday last; if it is a fact that these men broke into a public house in the village, in the absence of the proprietor, and helped themselves, *ad libitum*, to intoxicating liquor; if the police were subsequently ordered by a District Inspector, named Seddall, to disperse some people who were in the village street, and thereupon they charged the crowd, using batons and clubbed rifles; if a boy named William Purcell, 12 years of age, received a scalp wound which threatens to prove fatal; if Denis Curtin, in attempting to rescue Purcell, was assaulted; if either men named Daly, Hussey, O'Shea, and O'Halloran were assaulted and severely beaten, and the house of a man named O'Riordan broken into by the police, the owner assaulted, and a rifle presented at his wife; if the Government can give the nature of the alleged provocation for the action of the police; and, if, for the purpose of obtaining reliable reports of proceedings at evictions, and at the suppression of public meetings, the Government could provide some other source of information than policemen or their officers? The hon. Gentleman said: I wish to make a slight alteration in the second paragraph of the Question by stating that two public-houses belonging to men named Hussey and Macdonagh were broken into by the police, who paid for whatever they thought fit; and also to supplement the Question by adding that 12 constables on entering the public-house of a man named Thomas Jones, batoned the owner; that James Ryan received six scalp wounds, and that his life is despaired of; and that on the next evening John Jones was violently assaulted at his own door by three constables and his collar torn open.

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: I have no knowledge of the statements in the supplementary Question; and, owing to the short Notice given, I have been unable to obtain a detailed Report to enable me to reply fully to the first Question. Colonel Turner, however, telegraphs as follows:—

"The attack on the police on Monday in Feakle was most wanton, savage, and unprovoked. The men taking refreshment at the

time, stones and bottles were freely used. The police did not charge until three of them were very badly injured. The commanding officer, Mr. Jennings, showed great moderation, as he would have been quite justified in proceeding to extreme measures."

MR. M. J. KENNY: Will the right hon. and gallant Gentleman say what more extreme measures there are than to nearly murder a man?

MR. DILLON (Mayo, E.): Will the right hon. and gallant Gentleman say whether Colonel Turner was in Feakle on the occasion?

COLONEL KING-HARMAN: I understand not.

IRELAND—LOAN FUND AT EDERNEY, CO. FERMANAGH.

MR. JOHNSTON (Belfast, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether a new Loan Fund has recently been established at Ederney, County Fermanagh, on the application of the Rev. Mr. Clifford, P.P., of Bundoran; whether there is a Loan Fund at Kesh, two miles and five furlongs from Ederney, and another at Lack, three miles and four furlongs from the same; whether the Committees of the Kesh and Lack Loan Funds have protested against the establishment of the Ederney Loan Fund; on what grounds it was established; and, if the correspondence respecting it will be laid upon the Table?

MR. W. REDMOND (Fermanagh, N.): Before the right hon. and gallant Gentleman answers the Question, I wish to know whether it is a fact that the Trustees and the Committee of the Kesh and Lack Loan Funds are entirely non-Catholic, though the districts are not so; and whether the capital is so insufficient that loans cannot be issued?

MR. MAC NEILL (Donegal, S.): I also wish to ask the right hon. and gallant Gentleman a Question of which I have given him private Notice, Whether the Catholic clergyman, the Rev. Mr. Clifford, referred to in the Question, has not for many years been actively engaged in promoting habits of thrift and economy amongst the industrial inhabitants of Bundoran, and more especially amongst the fishermen of that neighbourhood?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, he believed the statement was quite correct that the Rev. Mr. Clifford had always promoted habits of thrift and economy in the neighbourhood. With regard to the Question of the hon. Member for Fermanagh (Mr. W. Redmond), he could only say he was not aware of the composition of the Kesh and Lack Loan Fund Committees; but he thought the hon. Gentleman was misinformed in the suggestion that the funds were insufficient. The facts were substantially as stated in the Question of the hon. Member for Belfast (Mr. Johnston). The Loan Fund Board report that the new Loan Fund was established on the grounds put forward by the Rev. Mr. Clifford, who stated that, from his knowledge of the district, he could safely say that a public Loan Fund was required at Ederney, and that the persons who believed the society to be necessary were prepared to act upon that belief by subscribing the necessary capital. He (Colonel King-Harman) should be happy to show the correspondence to the hon. Member if he would be good enough to confer with him.

POST OFFICE—THE PROPOSED PATTERN POST—DISADVANTAGES AS COMPARED WITH THAT OF FOREIGN COUNTRIES.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the Postmaster General, Whether he is aware that the proposed pattern post will still leave the British manufacturer at a disadvantage, as compared with persons using the pattern post of Canada, the United States, Germany, and France; whether it would be possible to establish a halfpenny pattern post for weight of two ounces, being the identical rate exceptionally enjoyed by paper manufacturers for the last 16 years; and, whether it would be possible to establish, in connection with the proposed pattern post, and independently of articles offered for sale, a parcel post on the model of the Canadian halfpenny post, for the conveyance of small botanical, entomological, and mineral specimens and products?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The right hon. and learned Gentleman is not quite accurate in his supposition as regards the rates in the countries he

quotes. Two of them have practically higher pattern rates than those which have been fixed for this country. The question of a rate for a weight of two ounces has not been overlooked; but it was found that such a rate would involve a large loss of Revenue. I scarcely think it would be justifiable to afford the exceptional rates the right hon. and learned Member suggests as regards specimens of natural history.

EVICTIONS (IRELAND)—EVICTIONS AT BODYKE, CO. CLARE—CONDUCT OF THE CONSTABULARY.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated in *The Pall Mall Gazette* and *Daily News*, and corroborated in part by *The Daily Chronicle*, that at the evictions at Bodyke on Saturday, the constabulary, by order of Captain Walsh, charged a retreating crowd with their batons, and struck a number of persons, some very severely; and, if so, whether he will take steps to prevent the repetition of such conduct by Captain Walsh?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: Captain Walsh telegraphed that, on the occasion referred to he, by direction of Colonel Turner, dispersed a disorderly mob, who were there in defiance of the Proclamation. One of the crowd who resisted and struck at a constable was batoned on the head. The police were well in control of their officers at the time, and acted with moderation.

MR. COX (Clare, E.): Mr. Speaker, am I in Order in telling the right hon. and gallant Gentleman that I was a witness of the transaction, and a more deliberate and wilful attempt to murder I never saw?

MR. SPEAKER: Order, order!

MR. FINUCANE (Limerick, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, at one of the Bodyke evictions, on last Friday, the police were the first to enter the house, when Colonel Turner, coming up, directed that the bailiffs should enter first, adding that he had already told the police they should not act in this manner; and, if the police acted in this case in opposition to the directions of their superior officer, will the Government order an investigation into their conduct, and direct that in future they shall not act the part of bailiffs?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Inspector General of Constabulary reports that Colonel Turner never gave any such order. In no case have the police been allowed to act as bailiffs. They never entered a house until after the Sheriff or his bailiff had been assaulted, and then they did so to make prisoners.

MR. COX (Clare, E.): Will the hon. and gallant Gentleman state who supplied him with the information?

COLONEL KING-HARMAN: The Inspector General, as I have already stated.

MR. DILLON (Mayo, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government will consent to the appointment of a Special Committee to inquire into the evictions at Bodyke, and the charges which have been made against the police in connection with the said eviction?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Government are not aware of any circumstances connected with the recent proceedings at Bodyke which would justify the appointment of a Committee of the kind suggested.

MR. COX (Clare, E.): I wish to ask the Attorney General for Ireland a Question, of which I have given him private Notice, Whether it is true, as stated in the papers, that 200 people have been summoned to the Ennis Petty Sessions of to-morrow for assaulting the Sheriff's officers and resisting the evictions at Bodyke; what is the reason for removing these cases from Tomgraney Petty Sessions to Ennis, a distance of 20 miles; and whether, in view of the fact that the persons all reside in the vicinity of Tomgraney, directions will be given for hearing the cases there? The hon. Gentleman also asked that, considering he should be a witness in these cases, the Attorney General for Ireland should direct that the cases should be heard at Tomgraney on next Wednesday?

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University) said, he was aware that a number of cases connected with the Bodyke evictions were to be heard at the Ennis Petty Sessions to-morrow. He could not say on what date the summonses were issued. He presumed that the reason it had been decided to try the cases at Ennis was because of the excitement which existed at Tomgraney. Having regard to that excitement, he did not feel himself at liberty to recommend any change. Any application concerning the adjournment of the cases should be made to the Court, by whom it would be considered.

MR. M. J. KENNY (Tyrone, Mid): Will any provision be made for these persons, seeing that they will be brought 20 miles, whereas Tomgraney is only two miles off?

MR. HOLMES: Any application of that kind must be made to the Court.

CIVIL SERVICE (GREAT BRITAIN)—LOWER DIVISION CLERKS — COMPETITIVE EXAMINATIONS — THE TREASURY MINUTE OF DECEMBER LAST.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary to the Treasury, Whether, in view of the large number of deserving writers who have been recommended by Heads of Departments for promotion to the Lower Division of Clerks, it is intended to continue the practice of holding open competitive examinations for clerkships of the latter class; and, if so, how the Treasury propose to give effect to the Promotion Clause of the Treasury Minute of December last?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): If the hon. Member will refer to the answers which I gave to the hon. Member for East Donegal (Mr. Arthur O'Connor) a few days ago, he will find that I have already practically answered his Question.

POST OFFICE (SCOTLAND)—THE SUB-POSTMASTERSHIP OF THE ELM ROW SUB-POST OFFICE, EDINBURGH.

MR. WALLACE (Edinburgh, E.) asked the Secretary to the Treasury, Whether the mastership of the Elm Row Sub-Post Office, Edinburgh, has been vacant for a considerable time, and the office closed to the public; whether much inconvenience has been experienced in consequence by the inhabitants of the district; and, whether an early appointment to the vacant office may be expected?

THE PATRONAGE SECRETARY TO THE TREASURY (Mr. AKERS-DOUGLAS) (Kent, St. Augustine's) (who replied) said, that the office in Elm Row was reported vacant on the 18th of May last, and a large number of applications were forwarded to the Treasury, from among which he selected a gentleman who was recommended by the hon. Member himself. The premises, however, did not comply with the Post Office Regulations, and therefore that gentleman's appointment could not be proceeded with. He trusted to be able to make an appointment in a day or two, and he could assure the hon. Member that no unnecessary delay would occur.

CUSTOMS AND INLAND REVENUE BILL—THE TOBACCO TRADE.

MR. KENNEDY (Sligo, S.) asked Mr. Chancellor of the Exchequer, in case the Customs and Inland Revenue Bill not becoming law by the 21st instant, He will cause official notice to be given to the tobacco trade of an extension of time to a certain date?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I presume the Question applies to the so-called Watering Clauses of the Bill. As the House is aware, the amount of moisture admissible in the manufacture of tobacco was restricted, in order to insure that the consumer should derive some benefit from the reduction of the duty. Although, as a matter of fact, no prosecution can, or will, be instituted until the Bill has become law, still, as the reduction of duty has already come into force, it is only reasonable that the manufacturer should conduct his business on the new basis as regards moisture with as little delay as possible.

ADMINISTRATION OF THE WAR SERVICES—LORD RANDOLPH CHURCHILL AT WOLVERHAMPTON.

SIR LEWIS PELLY (Hackney, N.) asked the Secretary of State for War, with reference to the statements made by the noble Lord the Member for South Paddington (Lord Randolph

Churchill), in a recent speech at Wolverhampton, concerning the inefficient condition of, and irregularities in, the administration of our War Services, Whether the Government have reason to consider those statements well founded; and, if so, what measures they propose for correcting the faults complained of?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The statements of my noble Friend the Member for South Paddington (Lord Randolph Churchill) at Wolverhampton consist of complaints of extravagance against the War Office generally, and of specific charges against the Ordnance Department. As regards the former, it seems to me that, as the House of Commons has appointed a Committee to inquire into Army and Navy Expenditure, of which my noble Friend is Chairman, I need offer at present no observations. But as regards the charges against the Ordnance Department, the case is different. So far as they relate to some change in the present system, I have already informed the House of two important respects in which, I think, an improvement can be made. But that does not meet the particular blunders which are alleged against the Department, and which extend over a series of years; and it would be very unfair to the officials connected with it, whose mouths are closed, if the explanations they have to offer are not made public. I may say, generally, that I do not accept the accuracy of most of the charges made by my noble Friend; and I have been waiting for a suitable opportunity for making the necessary explanation. But it seems to me that the general rule to be observed by a Minister is that he should not make controversial statements affecting his Department in the newspaper or on the platform, but in Parliament, where they can be, if necessary, promptly challenged. But I have had no such opportunity, and I am inclined to agree with my noble Friend that further delay is undesirable. The only way, therefore, in which I can deal with the matter is by laying a Memorandum on the Table explaining all the charges of my noble Friend. It shall be written in no controversial spirit; but with the sole desire of putting the House in possession of the fullest possible information on all the points raised, whether they are unfavourable to the present system or not.

LORD RANDOLPH CHURCHILL (Paddington, S.): I wish to make one observation, in no controversial or complaining spirit, on the answer just given by my right hon. Friend. I wish to ask him, whether it is possible for him to specify the charges against the Ordnance Department which I made, and which he considers inaccurate; whether he is aware that the charges I made at Wolverhampton were textually taken from the Report of the Committee; and, further, whether he will afford the House an opportunity of discussing the Memorandum which he proposes to lay upon the Table.

MR. E. STANHOPE: The last Question is one which, as my noble Friend is doubtless aware, should be addressed to my right hon. Friend the Leader of the House, as I have no control over the Business of the House. As regards the other points, I do not think I can at the present time go through the specific charges in detail. If I remember rightly there are no fewer than 15 of them; and I am afraid my noble Friend must restrain his impatience till I can lay this Memorandum before the House. As to my noble Friend's statement that he took the charges textually from the Report of the Committee, I think that when the House sees them they will see that that is hardly an accurate description of the charges which were made.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, whether the right hon. Gentleman would bring what influence he could to bear on the First Lord of the Treasury in order to secure an opportunity to criticize the Memorandum?

MR. E. STANHOPE said, of course there would be an opportunity of discussing it on a Vote.

MR. HANBURY (Preston) inquired, whether the First Lord of the Treasury would give the House an opportunity of discussing the Memorandum?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, in the present State of Public Business he could make no promise.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE ENVOY OF HIS HOLINESS THE POPE.

COLONEL SANDYS (Lancashire, S.W., Bootle) asked the First Lord of the

Treasury, Whether an arrangement has been made, or is about to be made by the Government, to receive Monseigneur Ruffo Scilla, or any other Roman Catholic person deputed as an Envoy by the Pope of Rome to attend in an "official" or representative capacity the approaching celebration of Her Majesty's Jubilee; whether, if an Envoy be sent, it is intended that he should be received here as an "accredited" Diplomatic Representative of the Bishop of Rome, in the capacity claimed by him of a reigning Sovereign; and, whether there exists a law here enabling the Sovereign or the Government of this country to receive a Diplomatic Representative from the Court of the Vatican?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): In a letter addressed by Cardinal Howard to the Secretary of State for Foreign Affairs, the Pope intimated his intention of sending a Mission to congratulate Her Majesty upon the occasion of her Jubilee, and the Marquess of Salisbury replied, on behalf of Her Majesty's Government, that it will give Her Majesty pleasure to receive the Envoy. He will be received on the same footing as Missions from the Pope are received at other Courts in Europe, both Protestant and Catholic. No law is required to enable Her Majesty to receive Diplomatic Representatives.

THE BRUSSELS CEMETERIES — THE GRAVES OF OFFICERS WHO FELL AT WATERLOO.

MR. DIXON-HARTLAND (Middlesex, Uxbridge) asked the First Lord of the Treasury, If he is aware that the old Brussels cemeteries are now closed and about to be disposed of for building purposes; that they contain the graves of 14 British officers, some of whom fell at Waterloo, and others died of the wounds received on the battle-field; that a movement is being made, as a Jubilee Memorial, amongst the English residents in Brussels to remove their remains, and re-inter them in the new cemetery, and erect over them a suitable monument; and, whether Her Majesty's Government will take any, and, if so, what, steps to assist this project, so as to prevent the desecration of the bodies of men who took part in so glorious a chapter of English history? He wished to add that since the Question was put on the Paper he had received information from Brussels that over 4,000 British soldiers and non-commissioned officers were buried in these cemeteries.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not aware of the fact that my hon. Friend has just stated, though it may be the case; but I am aware that the old Brussels cemeteries are now closed, and are about to be disposed of for building purposes, and that they contain the graves of many more than 14 British officers. There is a movement on foot amongst the British residents in Brussels to remove these remains, and re-inter them in the new cemetery, with a suitable monument. The whole question is now under the consideration of Her Majesty's Government, who are awaiting detailed Estimates, which are being prepared.

HOUSE OF COMMONS—DIVISIONS.

MR. WHITMORE (Chelsea) asked the First Lord of the Treasury, Whether the Government will give their early consideration to the practicability of expediting the present method of taking Divisions in the House of Commons, or of substituting for it a more expeditious system?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): If there is any practicable way of expediting the Divisions of this House Her Majesty's Government, and also, I am sure, the authorities of the House, would be glad to consider it.

MR. T. M. HEALY (Longford, N.): If the right hon. Gentleman would declare the numbers himself it might save a lot of trouble.

PUBLIC BUSINESS — LOCAL GOVERNMENT BILL.

LORD HENRY BRUCE (Wilts, Chippenham) asked the First Lord of the Treasury, Whether the statement is correct that the Government have abandoned their intention to introduce the Local Government Bill this Session; and, if so, whether they will reconsider their decision?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am unable, in the present state of Business, to say what measures it will be in the power of

Her Majesty's Government to proceed with.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — THE ILLUMINATIONS.

MR. J. M. MACLEAN (Oldham) (for Sir ALGERNON BORTHWICK) (Kensington, S.) asked the First Lord of the Treasury, What arrangements have been made for the illumination of Public Offices; and, what provision the Treasury has made for the consequent expense?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The enormous number of public buildings, both in the Metropolis and elsewhere, would have made the cost of illuminating them very considerable; and Her Majesty's Government did not consider themselves authorized to propose the large Estimate which would have been necessary for the purpose. It is evident that it would not have been possible to draw any distinction, and it would have been necessary to illuminate all. The spontaneous display of illuminations throughout the country will afford better evidence of the loyalty and sympathy of Her Majesty's subjects on this occasion than any outlay of public money.

MR. H. GARDNER (Essex, Saffron Walden) asked the Secretary of State for the Home Department a Question of which he had given him private Notice, Whether his attention had been drawn to the danger likely to arise from the proximity of open gas and other illuminations to the flags, draperies, and wooden scaffoldings now in process of erection in front of many houses in the Metropolis; whether any warnings or suggestions on the subject had been issued by the police; and, if so, what were the terms of those instructions?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Chief Commissioner of Police that he has written to the Metropolitan Board of Works to point out the danger that is anticipated in the Question, and has requested them to take the necessary precautions. The police cannot do more than this, the matter being one that comes within the province of the Board of Works, who will, I have no doubt, take the proper precautions, if they have any power to do so.

WAR OFFICE—EXHAUSTION OF STORES AT MALTA IN 1882.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle): It will be remembered that on Tuesday last I stated, in reply to a Question, that there was at Malta, in July, 1882, a sufficient supply of ammunition for all emergencies. My noble Friend the Member for South Paddington (Lord Randolph Churchill) then asked me to make further inquiry as to 11-inch shells, and I promised to do so. I find that the reserve list, as laid down by the Admiralty, and which continued in force until 1886, required the War Department to maintain 288 11-inch guns in the Mediterranean, two-thirds of which, or 192, were to be at Malta, and the remainder at Gibraltar. As a matter of fact, there were issued at Malta, between June 1 and July 11, 1882, 175 11-inch shells to the fleet engaged, while there were remaining in store at Malta 260 more 11-inch projectiles.

BUSINESS OF THE HOUSE.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): It will be to the convenience of the House if the Leader of the House will state what arrangement he proposes for the course of Business next week, especially with respect to Wednesday, and with respect to whether the Criminal Law Amendment (Ireland) Bill will be taken on Friday?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I have endeavoured to inform myself of the feeling of hon. Gentlemen in all parts of the House, and I may state that it would meet the general feeling of the House if the Criminal Law Amendment (Ireland) Bill was not taken during any part of next week. I propose, therefore, if it is the pleasure of the House, that the Government should proceed with the Coal Mines, &c. Regulation Bill in Committee on Wednesday, and I think hon. Gentlemen will recognize the importance of proceeding with the measure. On Monday I shall move that the House adjourn till Wednesday, and that precedence should be given to the Coal Mines, &c. Regulation Bill on that day. I propose to take Supply—the Civil Ser-

vice Estimates—in the order in which they stand on the Paper, Class I., and at 10 o'clock to report Progress, in order to get the Coal Mines, &c. Regulation Bill formally into Committee the same evening, so as to allow the Bill to be proceeded with on Wednesday. On Thursday I propose again to proceed with Supply, and such other financial measures as may be necessary, and to move a Morning Sitting for Friday for other Government Business.

In reply to Mr. HENNIKER HEATON (Canterbury),

MR. W. H. SMITH said, that it might not be in the power of the Government to take the India and China Mail at an early hour on Monday.

Subsequently,

MR. DILLON (Mayo, E.) asked, whether the right hon. Gentleman could give the Irish Members any assurance that none of the Irish Estimates would be taken in the course of next week? And he asked this Question in consequence of an observation of the right hon. Gentleman — that he had consulted all quarters of the House before he made his statement, the fact being that he had consulted every section of the House except the Irish Members, and had refused to make the arrangement which the Irish Members asked for.

MR. W. H. SMITH thought that he was already in possession of the views of hon. Gentlemen below the Gangway opposite from the hon. Member himself. He would undertake that no Irish Vote should be taken in Supply on Monday and Thursday in the absence of the Irish Members.

MR. W. E. GLADSTONE: May I remark, as to the course of Business, that I feel sensible of the great difficulties in which the Leader of the House is involved; and I believe that, taking all things into consideration, if his main object is to give the Irish Members the temporary relief from duty which they desire, he, as far as I am able to judge, has made the best arrangement in his power.

THE EXECUTIVE (IRELAND) — ABSENCE OF THE LORD LIEUTENANT.

MR. T. M. HEALY (Longford, N.) said, he wished to ask the First Lord of the Treasury—as the Chief Secretary was not present—Whether the condition of Ireland was so desperate that the Lord Lieutenant—according to *The Morning Post* of yesterday—had felt himself compelled to take a house in Curzon Street, Mayfair, for the remainder of the season; and, whether arrangements could not be made to protect His Excellency at the present time?

[No reply.]

MR. T. M. HEALY: Am I to understand that the Lord Lieutenant is to be absent from Ireland for the remainder of the season?

[No reply.]

PARLIAMENT—THE NEW RULES OF PROCEDURE, 1882 — RULE 2 (ADJOURNMENT OF THE HOUSE).

EVICTIONS (IRELAND)—EVICTIONS AT BODYKE, CO. CLARE — CONDUCT OF THE CONSTABULARY.

OBSERVATIONS.

MR. DILLON (Mayo, E.) said: I rise for the purpose of asking leave of the House to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance — namely, the recent unjust eviction of 36 families on the estate of Colonel John O'Callaghan, at Bodyke, in County Clare; the numerous evictions now going on elsewhere in Ireland; and the conduct of the police in connection with the carrying out of the said evictions, and at Feakle, on Friday last.

The pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

MR. DILLON: Mr. Speaker, notwithstanding the action of the Conservative Party in leaving the House rather than listen to any statement on a matter which has unquestionably attracted the public attention of this country to a very large extent, not only among Liberals, but amongst Conservatives also, I venture to say, Sir, notwithstanding the remarkable exodus we have just witnessed, that in the course which I have thought it my duty to adopt in this matter I not only have the support of 40 Members in this House, but of a large majority of the public opinion of Eng-

land. Sir, I have received myself letters within the last couple of days, signed by Conservatives—persons who called themselves Conservatives—saying that it was most desirable that the charges made against the Constabulary in connection with the recent evictions should be fully investigated, and some decision arrived at upon them as to whether they were true or false. And, Sir, I put upon the Paper to-night a Question to ask the Government whether they would consent to the appointment of a Committee to investigate these charges, and also the evictions which have taken place at Bodyke. Before I enter upon the case which I desire to lay before the House, I wish to draw attention for a few moments to the way in which these matters are treated. Charges were made recently against the Constabulary in reference to certain riots and disturbances which took place in Belfast, and what was the result? The Government of the day in Ireland promptly issued a Commission—not a Special Committee of the House, but a Commission—to inquire into these charges, although it was on record that in the course of these riots a great number of the Constabulary were killed and wounded, and some soldiers also; but notwithstanding these facts—of which there is nothing of the kind in the case of these disturbances in Clare—an inquiry was immediately granted. Another case is that of Cardiff. At the recent General Election in Cardiff charges were made against the English Constabulary of brutal conduct. An inquiry was asked for and promptly and immediately granted. Charges are made in this case, and I shall prove later that they are made not upon the authority of Irishmen at all or alone, but upon the absolutely unanimous authority of all the Pressmen of this country who have visited those districts. On the other side there is absolutely nothing but the unsupported testimony of the people whose conduct is impugned, and yet we are denied an investigation. I should not have thought of consuming any of the time of this House if the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) had thought fit to offer us some tribunal before which we might lay our case, and before which we might seek to get a fair decision on this matter. But before I enter on the case I wish to direct attention to this remarkable fact. So far from offering any tribunal or opportunity to us of laying the evidence placed at our disposal before a Committee of this House, the right hon. Gentleman the Chief Secretary—knowing this Question was coming on—did not think it worth while to come down to answer it, but, on the contrary, plainly and manifestly remained away in order that he might not be compelled to answer the Question at all. What are the propositions I shall endeavour to prove to this House? The first proposition is this—that there has been carried out in the County of Clare the eviction of 36 families in the most cruel, the most unfeeling and brutal fashion that has recently taken place even in Irish evictions. It so happens that I have been intimately acquainted personally with the circumstances and history of these cases for the last nine months. I chanced to be travelling in Clare nine months ago, shortly after the dispute between Colonel O'Callaghan and his tenants had its origin, and these tenants sent a distance of 15 miles to ask me to come to their assistance and afford them the protection of the League or any policy I could suggest to them. It is frequently charged against us in these matters that we are the instigators and causes of these evictions in Ireland, and of the resistance of the tenants; but I solemnly declare, in reference to this dispute, that I had no act, hand, or part in it until I was asked to go a distance of 15 miles at the request of the tenants to meet and offer them my advice. The tenants, the morning after I arrived, came in a great number and laid their case before me. It was a case of the most harsh and atrocious system of rack-renting that I had ever heard of in my wide experience of Irish landlordism. I shall not go into details which I possess of the individual cases on the estate, because I understand that Englishmen in this House who were there have satisfied themselves on these points, have got possession of documents, and will themselves give these particulars to the House. Colonel O'Callaghan came into possession of the estate 50 years ago, and he proceeded to raise the rents of the tenants, step by step, year after year—a rise being put on every second or third year—until the men who spoke to me, with tears in their eyes, declared they were utterly broken down and un-

able to carry on. Men who had been paying 15*s.* an acre in 1850 were paying 35*s.*, 38*s.*, and 40*s.*, and this had been piled upon them year after year without the expenditure of one single shilling on the land by the landlord, and the landlord in the miserable attempts made in his defence by himself and others has not alleged that he expended one shilling out of his pocket. That has been the character of his treatment, and I leave it to Englishmen who went there and satisfied themselves to go into details and prove the general propositions I lay down. That is the first proposition I have to lay down with reference to this Irish landlord. The second is this—by the universal testimony of the whole of the district and of the neighbours of these tenants a more industrious, hard-working, and honest people do not exist in the County of Clare. I have it from innumerable witnesses that as long as they could manage to pay—and even by borrowing—they continued to pay, and so great was their terror of the landlord that it was not until they were beggared and ruined that they fell back upon methods of resistance such as culminated the other day in these extraordinary affairs. These are the general facts I wish to state with regard to these tenants and with regard to the temper of the landlord and his treatment of his tenants. I will give one instance which I had on the testimony of a great many men who undertook to swear it in affidavits if so required. The rent of Michael Hussey was raised from 15*s.* to 40*s.* per acre, and when the last rise was put upon it Hussey went to the landlord and said—"Do you want to ruin me entirely?" Colonel O'Callaghan replied in the following words:—"You must pay it or go out, and I will tell you I care no more about turning you on to the roadside than I do about shooting the bird which flies across my path." That language people were prepared to swear to. I wish to say a few words about the present dispute. The tenants of Colonel O'Callaghan had their rents fixed by the Land Courts in 1882. Now, the year 1882 was notoriously a year in which prices rose in Ireland temporarily, and with them the rents were fixed on the basis and expectation that the rise was of a permanent character. Even then these rents were reduced enormously, and we have a number of witnesses who will undertake to swear that Mr. Reed, one of the Sub-Commissioners, in reducing these rents, said he regretted very much that the circumstances of the estate did not leave him a free hand, and that were it not that the estate was under mortgages he would make greater reductions. What the tenants asked was that they should pay a quarter's rent due last November, and receive a further reduction on the judicial rents fixed in 1882 of 25 per cent, and the reduction would have left the rents 30 or 40 per cent over the rents now being fixed by the Judicial Commissioners in the County Clare, and the reduced rents which the tenants offered last year would have been fully 30 per cent, if not 40 per cent, more than all the neighbouring landlords are having fixed in Court. He refused to give a single shilling of a reduction to the tenants, and then they refused to pay and adopted their present attitude. That was the history of the origin of the dispute, and in the course of the winter an English gentleman visited that neighbourhood on one of his many excursions to Ireland for philanthropic purposes. This gentleman, I understand, is exceedingly hostile politically to our views, but he has a wide acquaintance with this affair—I allude to Mr. Tuke. He visited this district in the month of January, and having learned the dispute and made inquiries secretly, without revealing his individuality, he was so horrified by the conduct of the landlord and by the condition of those people, that he came to the parish priest of the district, and offered to put his hand in his pocket and pay £300 to the landlord if he could effect a settlement, and based upon that the parish priest of the district by desperate exertions collected £900, including this £300, which he offered to the landlord, who refused it. That, in my opinion, was an offer which ought never to have been made, for it is monstrous to see Irish landlords in the County Clare rewarded for their infamous and brutal conduct by English gentlemen going over and putting their hands in their pockets. Such was the anxiety of this priest, a most excellent and respected clergyman, Father Murphy, of Tomgraney, that he offered this sum of £900 to the landlord, who refused it. That incident alone ought to show to any fair-minded man, even on the

Benches opposite, that there was matter for inquiry and investigation, at least as to the merits and demerits of these evictions. But that is not all. Those hon. Members of this House who took the trouble to study the Cowper Commission will see a certain statement made by General Buller, when giving evidence before that Commission. He said—

"I have just returned from the County Clare, where I was specially sent to induce a landlord to come to reasonable terms with his tenants, and I regret, and fear, I have failed."

Who was that landlord whom General Buller was sent by the right hon. Baronet the Member for West Bristol (Sir Michael Hicks-Beach) to induce to come to terms with his tenants? It was Colonel John O'Callaghan, and he refused to take the advice of the then Chief Secretary for Ireland and of General Buller, and now the British public are to pay the bill, which will be at least £3,000 or £4,000. But not alone that—they had inflicted this abominable cruelty on the people then because Colonel O'Callaghan insisted on the last pound of flesh. What I want to point out—and I do trust, even considering the present temper in England, to make some impression—I defy the Government, and I now defy the right hon. Gentleman the Chief Secretary for Ireland, to produce one single Englishman, Conservative, Liberal Unionist, or Gladstonian Liberal, who has been on the spot and investigated the history of these things who will come back to this House or any public place and declare he believes right is not on our side. We can produce upwards of a dozen Englishmen who have left this country and gone to investigate the circumstances, and I defy the Government to produce a single man who will say that their—the Government's—conduct in this case has been justified. Is it not a strong case in favour of my contention that the defence which is made and palmed off on hon. Members of this House by the Irish Government for their proceedings in Ireland at present is a defence which bases its strength on the ignorance of the men to whom they plead? I invite any hon. Member to go down to County Clare, and come back and stand up in his place and tell us what the result of his inquiries has been. I wish to direct attention to a very serious question—that is, the conduct of the police during the carrying out of these evictions, and also their conduct at the suppressed meetings on Sunday. But I think, in this matter also, we are entitled to get some more consideration from the Government than we have hitherto received. I know perfectly well that a certain section of Englishmen always receive with a grain of salt any statement which comes from the Irish Members, and particularly those who are identified with the Party with which I act. But when you find this condition of things arising, when you find, in a case like that of Bodyke, a number of English Press correspondents from different independent agencies and employers on the spot, when you find them with one voice declare that the police have acted in a brutal and unjustifiable manner, and when you find the other Englishmen, strangers, joining in that declaration, there is absolutely no testimony but that of the police officers whose conduct is impugned opposed to those statements. There cannot exist a doubt in the mind of any hon. Member of this House that had these things occurred in England, Scotland, or Wales, an investigation would necessarily have been demanded by English public opinion; and is it not a deplorable thing, when this very same condition of things arises in Ireland, that we are to be told, as we are told, that no investigation will be granted, and that we shall be put off by information which, I think, it is high time to characterize in its true character? Without being offensive, I say it is nothing more nor less than the conduit pipe to pour into this House falsifications and lying excuses of permanent officials in Dublin Castle. We had the statement the other night—a most valuable statement—from a late Chief Secretary that he frequently discovered the answers sent from Dublin Castle were of such an unsatisfactory character that he was obliged to telegraph again and again before he could get a sufficiently satisfactory answer to enable him to give it in the House, and he stated that the Questions which were put compelling him to make these inquiries had led him in more than one instance to remedy a serious abuse. But here we have a Chief Secretary who remains behind the Speaker's Chair, and an Under Secretary who repeats like a parrot the answers sent him by the officers whose conduct

we are complaining of, and there the matter ends. I have collected a certain amount of testimony from the leading newspapers in England, and I shall commence with one which is not prejudiced in our favour. *The Times* of June 11 (Saturday last) refers thus to the conduct of the police on the previous Friday in carrying out evictions—

"The troops and police, having bivouacked for luncheon, were about to start on the return journey for Fortane when some knots of people collected on the ditches and commenced to hoot and groan at them. The Constabulary were ordered to disperse them, and about 30 men armed with batons sprang over the ditch and pursued the people and bludgeoned them in the most frightful style. Several young constables used filthy expressions to the people, who at the time had not conducted themselves any worse than they did since the evictions commenced; but the police had lost their temper and discipline, as was shown to some of the English spectators of this extraordinary scene."

Now I return to the account of the transaction of Sunday at Feakle. On Sunday an extraordinary scene took place of a much more serious character. A meeting had been proclaimed which was supposed to take place. On Sunday last a large force of police was concentrated in the town to prevent the meeting, but they arrived too late—after the meeting was over. County Inspector Heard, seeing that the people were in a very hostile mood, and that the meeting was over, that there was no duty to perform, and—to use his own words—"in order not to excite the people further," ordered the police to march back to camp. About an hour afterwards some fifty men who came from Scariff, about eight miles distant, arrived—I am quoting from the statement made by Mr. Heard to the correspondent of *The Freeman*—these men arrived tired and hot—it was a very hot day—and in face of the fact of the strained relations between the people and the police, the officers ordered them to disperse in order to get drink in the public-houses. In face of what had occurred for the last fortnight in that district, these constables were allowed to disband and spread themselves over the village in order to get drink. I say that the officer who was guilty of such conduct as that deserves to be dismissed out of the force to-morrow. If he had any regard for the peace or for the lives of the people, he would have marched the police out of the village, or not have got into it at all, as they had no duty to perform there. In one house the constables got in, and got as much drink as they liked. In two or three other houses they were refused; they forced their way in, and forcibly ejected the people who were there, and helped themselves to drink from the beer barrels without asking the proprietor's permission, and paid for it at their own estimate. So far I have been quoting from the statement of County Inspector Heard. He admits that the men were allowed to disperse for refreshments, and he says that the account given to him by his officer is that when they were dispersed and getting refreshments stones were thrown at the police, and in some instances empty bottles, and then the men charged and cleared the street. But all this statement was hearsay. I now come to the statements of the English correspondents who wrote from the place. Here is an extract from the correspondent of the Press Association. You must remember that the several accounts come from various and independent sources. Before I conclude I shall allude to the statement of the correspondent of the *Pall Mall Gazette*, but I take first the correspondents who are not friendly to us. I take the account of this transaction given by the special correspondent of the Press Association, who is an Englishman, who was specially sent over from London after the evictions had commenced. This special correspondent says—

"The police lost their temper, one officer told them to charge, and staves were freely used. A stone thrown by a child rolled down to where the police were standing, and served as a signal for the renewal of hostilities. Some young men, provoked by this, threw stones, and the police charged, some of them pursuing a man for a quarter of a mile, hitting and kicking him, till at last even the Inspector called them back. So far as I could ascertain, the violence of the police was entirely unwarranted, and can only be explained by the fact of their feeling annoyed at being too late to prevent the meeting."

That account was cut from an English paper and sent to me by a man who signed himself "A Conservative," and asked me to bring this matter under the notice of the House. The theory of the Government appears to be that the representative of *The Pall Mall Gazette* is not entitled to credence; but I maintain that he is an Englishman, and that he has gone there as a correspondent of the

Press, and until the Government bring forward some testimony to contradict his evidence I maintain that he is entitled to credence. I think it a fair and natural request on my part that some tribunal should be set up in order to decide this question, because I think on an examination it will be admitted, if these statements are true, or nearly true, that it is an outrageous and a monstrous thing to allow this condition of things to prevail. And the Question I have risen to put to the House on this particular point is—are you, as Englishmen, going to sit down and rest satisfied with such an answer as I have received up to this, when the right hon. Gentleman the Chief Secretary for Ireland admits that the only answer he has to give is the answer of the very men whose conduct I have to complain of? Here are a great many more details given in the account of the correspondent of *The Pall Mall Gazette*—details of a very disgusting and atrocious character—but I shall confine myself to adding one further detail. He says—

"Amongst those who were struck down by the police in Feakle on Sunday was a young boy named Willie Purcell. I went and saw him lying in bed. He is a tall, handsome boy of 14. He was very pale from loss of blood. He cannot identify the brute that struck him, for the all-sufficient reason that he was felled with a blow from behind. He states that he ran off the street through a house into a yard, and that, while quite safe sitting on a wall, he received a blow from behind from a policeman which fractured his skull."

What had this boy done that the police should have pursued him off the street through a house into a yard and knocked him off a wall where he was sitting? I say when a statement of that character is made by an Englishman it ought to be investigated. I pause now from giving further details of the outrages of the police, though I could give a great many more; but I think I have given enough. I cannot conceive any reply which the Government can give to my statement except this—they may say, "These people have open to them the ordinary remedy of the law." I maintain that such an answer is a simple mockery. These poor people have no remedy; and supposing they had a remedy, if they were going to bring an action against the police, where would they get the money to fee the lawyers? The venue would be changed to Dublin, and it would be Christmas before the trial could take place. But, supposing they had a remedy, is that any answer for a responsible Executive Government? Is it a sufficient answer to say—"If the police beat in the people's heads and burst into people's houses, and knocked the people down if they remonstrated—if they knocked about children and beat old women about the heads they had their remedy at law?" Will the law mend the heads and put a stop to such a system in the future? These things have been done over and over again in Ireland; and I say it is an outrage, and I believe that the people of this country will protest against it, if they are allowed to go on without some fair inquiry by a Committee being instituted and an opportunity given to us to lay our evidence before the Committee, so that it may be decided once for all whether our statements and charges are well grounded or not.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Dillon.*)

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): The hon. Member began his speech by complaining that I was not present in my place to give the answer to his Question, which was, in fact, given by the Under Secretary. I must inform the hon. Member that for that answer so given by the Under Secretary I am entirely responsible, it having been framed by him in conjunction with myself, and the fact that he delivered it in no way detracts from or alters my responsibility for it. The hon. Member complained of the answer itself. He said that we ought at once to have granted this Committee to inquire into the truth of the allegations that have been made in this matter; and, certainly much to my surprise, he quoted in support of his demand the case of Belfast as one in which such a Committee of Inquiry was granted. There is, however, no analogy whatever between the two cases. The hon. Member talks as though the Commission granted in the case of Belfast was appointed simply to investigate the conduct of the police, whereas it was appointed in consequence of Belfast having been in a state of riot for some six weeks, and for the purpose of preventing the continuance of

a condition of things in that place which was a disgrace to any civilized community. If the hon. Member, therefore, relies upon the case of Belfast as a precedent to be followed in the present case, the Government will certainly not follow it. I must confess that, although I do not think that the hon. Member was ill-advised in bringing forward this Motion for the adjournment of the House upon this question, I do think that he was extremely ill-advised as to the day he brought it forward. There is clearly nothing pressing in this matter. I mean by that, even if all that the hon. Member has said is true, it would confer no immediate benefit upon the people of Ireland that this discussion should begin on Thursday instead of on Monday. I do think that hon. Members below the Gangway opposite will scarcely think I am wrong in taking that view of the matter. The hon. Member—for reasons into which I do not inquire—has chosen one of the five days which have been allocated by the House for the discussion of the Crimes Bill. I should have thought that if the hon. Member had been as anxious for the discussion of the Crimes Bill as he says he is, he would have deferred until Monday the discussion which he has forced upon the House this afternoon. It must have been perfectly clear to the hon. Member, both from the answer which I gave yesterday afternoon, and from the reply of the right hon. and gallant Gentleman the Under Secretary to-day, that the Government are not yet in possession of that full and detailed information upon this question which it is certainly desirable that we should possess before this matter is discussed in this House. The hon. Member, being aware of that fact, nevertheless forces this discussion upon the House to-day. The officials in Ireland, whose duty it is to make Reports to us, have been so occupied with these proceedings, their time has so been filled up by the painful and protracted labour which has been entailed upon them by what has happened at Bodyke, that it has been perfectly impossible for them to have made these Reports. For my own part, I could not have reconciled it with my functions to press them to do more than to keep me informed by telegram of the course of the proceedings at Bodyke. To expect Colonel Turner, who is in a responsible command, to sit down every night and to send a long despatch of the occurrences of the day would be a proceeding totally and absolutely destructive of any Executive efficiency whatever. [*Cries of* "Oh, oh!"] I am perfectly sure that right hon. Gentlemen opposite, were they now in power, would not have pressed Colonel Turner in reference to this matter more than I have done. Dealing, in the first place, with the hon. Member's remarks in reference to the conduct of the police, I must protest against the view laid down by him that a newspaper report is a proper basis on which to found an indictment against Government officials. I venture to say that no Government has ever admitted——

MR. DILLON: I did not say that. What I said was, that there was a universal concurrence of testimony afforded by a number of newspaper correspondents connected with newspapers of different politics.

MR. A. J. BALFOUR: That does not militate against my general proposition, which is that no Government can accept mere newspaper reports as a basis on which to found an indictment against Government officials. Such a course would render government absolutely impossible. So far as I have been able to see, the newspaper reporters appear to have shown even more than their usual fertility of resource and perfervid imagination in dealing with the proceedings at Bodyke. Let no man, after reading the highly-coloured and glowing accounts of this matter, say that we live in a prosaic age, or in an age when the gift of imagination is not widely distributed. The hon. Member, in making his attack upon the Government officials, permitted himself to use language which, although I believe it is perfectly in Order, does not conduce to the proper conduct of debate. The hon. Member described the Irish officials as a set of lying officials.

MR. DILLON: What I said was that the Under Secretary made himself habitually the channel of the lying excuses of the Irish officials.

MR. A. J. BALFOUR: The officials who make use of lying excuses must be lying officials. Those right hon. Gentlemen who are sitting upon the Front Bench opposite, who heard the charge made, and who are probably responsible

for the appointment of those officials, must have listened to the statements which have been made with shame. Whom is it that hon. Members are attacking? I presume Colonel Turner?

MR. M. J. KENNY (Tyrone, Mid): No; Colonel Turner was not there.

MR. DILLON: I believe Colonel Turner to be an honourable gentleman.

MR. A. J. BALFOUR: I am glad to have that expression from the hon. Member. All I can say is that all the statements which have been made by me in this House have been made upon the authority of Colonel Turner, and I can set off against the highly imaginative statements of the newspaper correspondents the statements of a man whom hon. Members opposite themselves know to be an honourable gentleman. The accusation which the hon. Gentleman has made against the police may be summed up in saying that they exceeded their duty, and treated the crowd with greater severity than the occasion warranted. For reasons which I have before stated to the House, I am not going, and it is impossible for me to go, into details; as regards the specific allegations, I know nothing whatever, for instance, of the policeman who is alleged to have pursued a boy through a house, and, having got him on the other side, knocked him down into a ditch.

MR. T. M. HEALY (Longford, N.): More shame for you.

MR. A. J. BALFOUR: What I do know is that the police, during the course of these evictions at Bodyke, have had to deal with something very like organized revolution, and in the exercise of their duty have been subjected to most barbarous treatment. Whether it was right or wrong that these evictions should take place, undoubtedly the police were only carrying out their undoubted duty. If the evictions ought not to have taken place, it did not rest with the police to stop them; the responsibility rests elsewhere, and these men, who had but to do their duty, were assaulted with boiling water and subjected to every possible insult and outrage; and if it were true, though I do not think it is, that the policemen, who, after all, are but human beings, at last, provoked beyond endurance, did, to some small extent, exceed their duty, though I should greatly regret it, had it taken place, which I do not believe it did, I should feel that some allowance must be made for the position in which they were placed. Then the hon. Gentleman has attacked the general disposition of the forces at Bodyke, but for those dispositions Colonel Turner was responsible. I have the most absolute confidence in the judgment and discretion of that gentleman; and I think that, placed in circumstances of almost unexampled difficulty — circumstances far exceeding in difficulty the Woodford evictions—he has shown a judgment, a temper, a discretion, and an endurance which does the highest credit to his administrative abilities. That is all I shall say on the subject of the police; but before I sit down it will, I think, be necessary for me to say a few words on another question raised by the hon. Gentleman—a wholly different question, and one that ought to be entirely dissociated in every man's mind from the particular episodes to which the hon. Member has made reference. The hon. Member has given an account of the occurrences which he states took place with reference to Colonel O'Callaghan's property, and which make these evictions, in his opinion, a peculiar hardship. It is not my duty, and I do not mean to say one single word in defence of the landlord in this case. If Colonel O'Callaghan had asked my advice, these evictions would probably never have taken place. But while I refrain from saying one word in defence of the conduct he has thought it right to pursue, I must, in fairness to him, remind the House of some circumstances which the hon. Gentleman mentioned, but which he has kept rather in the background, though I do not complain of the candour of his statement. The rents on Colonel O'Callaghan's property may or may not be much too high; they may or may not be rents which every good landlord would think it his first duty to reduce; but beyond all this is the fact that these were judicial rents fixed in 1882. They were fixed at a time since which prices have undoubtedly gone down. But we must assume that the rents were fair rents, and that the Land Commissioners did their duty in fixing those rents at that figure. None would resent more bitterly than hon. Gentlemen opposite any attack on the Land Commission for fixing rents too low. They would say—"You are criticizing

the judgment of a Court, and you have no right to do it." They cannot, therefore, complain if we apply the same canon, and say that, whether right or wrong, the rents which the Land Commissioners fixed in 1882 were fair rents, though, as Lord Cowper's Commission reports—a question upon which I express no opinion—they are now 10 to 14 per cent too high that—[Mr. DILLON: Sixty per cent.] The hon. Gentleman says that the rents are 60 per cent too high. That may or may not be true, but if it be true, then, in the opinion of the hon. Gentleman, the Land Commission did not do their duty—a point on which it is not my duty to pronounce an opinion.

MR. T. M. HEALY: We always said so. We always denounced the Land Commission.

MR. A. J. BALFOUR: The hon. Gentleman never denounced the Commissioners for lowering rents.

MR. T. M. HEALY: I always denounced them—from start to finish. They never did their duty. They were landlord Commissioners. There was only one tenant amongst the 60.

MR. A. J. BALFOUR: I thought the hon. Gentleman was going to interpose with something a little more relevant to the purpose, or I should not have given way to him. These were judicial rents fixed in 1882. Colonel O'Callaghan, for reasons which seemed to him sufficient, determined to evict his tenants for non-payment of these rents. Does any Gentleman in this House blame the Government for carrying out the law?

MR. R. T. REID (Dumfries, &c.): We blame them for not amending it.

MR. A. J. BALFOUR: The Government are blamed for not amending the law. Who is it that has prevented this?

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): What happened last autumn?

MR. A. J. BALFOUR: As I have had occasion to point out before, it would be highly improper to discuss that.

MR. W. E. GLADSTONE: You asked the question.

MR. A. J. BALFOUR: The right hon. Gentleman is perfectly aware that the legislation that he thought fit to submit last autumn would not relieve the Irish tenants. But that is not the point. The point is that at this moment we are promoting legislation which would have dealt with it. The right hon. Gentleman is, apparently, perfectly unacquainted with the Government Bill as it now stands. The Bill now in the House of Lords, which I should not be in Order in discussing, would undoubtedly have stopped any hard cases of that kind. Who, then, has stopped us in bringing in that Bill? We have been stopped by hon. Gentlemen opposite, who, for reasons of their own, have thought fit to protract the discussion on the Bill now before the House to such an extraordinary length that the other Bill to which I referred is pushed off to the fag-end of the Session. Whose fault is that?

SIR WILLIAM HARCOURT (Derby): The House of Lords.

MR. A. J. BALFOUR: The right hon. Gentleman the Member for Derby says the House of Lords. Is he not aware that the Government gave a pledge that the Bill now in the House of Lords should be introduced here before the Criminal Law Amendment Bill left this House? The reason the House of Lords has not done with that Bill is that there never was any chance of hon. Gentlemen below the Gangway letting us finish with the other Bill. Nothing has interposed between the Irish Land Bill and this House but the interminable and useless discussions which hon. Gentlemen opposite have permitted to take place on the Criminal Law Amendment Bill. While I think we ought to amend the law so that no clearly harsh eviction can take place, I must, at the same time, enter my protest against the method of judging actions of that kind which appears to have become fashionable. I do not wish, for a moment, to diminish the sum of the pity which we give to those who are unfortunate in their circumstances, but I confess I sometimes wish that we could be something more equitable in the distribution of that pity. Hon. Gentlemen on that side are deeply moved by what occurred at Bodyke. Let us grant to the full their premisses. Let us grant, for the sake of argument, that Colonel O'Callaghan has acted harshly—let us grant, for argument's sake, that he has used his legal rights in a manner in which no humane man ought to have used them. Would hon. Members opposite have shown the same sentiments of commiseration had the evictions at Bodyke not been attended by

circumstances which, in my opinion, reflect little credit either on the tenants or on those who, for political purposes, have urged the tenants on to resistance? I take this opportunity of declaring my opinion that these evictions have been marked by circumstances of a most scandalous character. They have been used for the purpose of political agitation by men who were not ashamed to rouse the tenants to resistance against the law, when, but for their intervention, no resistance would have been offered. Are there no cases in which legal rights are harshly administered outside of Ireland? Is Ireland the only country where such things take place? Is there a single man who doubts that if he took the trouble to go about this Metropolis, perhaps within a few hundred yards of the place where we are now sitting, he would find cases in plenty where misery was inflicted by the strict execution of legal rights, and misery, perhaps, of a far more deplorable character than at Bodyke? I do not say this as any justification of Colonel O'Callaghan or of others who in Ireland or elsewhere may be tempted to the harsh exercise of any right the law has given them. I allude to this only for the purpose of showing the necessity for the introduction of some more sane and better method of estimating questions of this kind. I wish to direct the attention of hon. Members to the broad questions which underlie these cases. I do not believe any system of law, however perfect, can be devised in which some instances of harsh exercise of right can be avoided. Such instances must occur. It is the duty of the Legislature to do its best to make these harsh cases as few and as rare as possible; but in the interest of every class of the community, in the interest most of all of those who, from one cause or another, specially deserve our pity, I should protest as earnestly as I can against the doctrine that appears to be growing every day that the proper remedy for a law which is in some cases harsh is to break that law. A doctrine of that kind is absolutely subversive of everything that makes civilization possible. It is because I firmly believed that that I determined, not cheerfully indeed, but with a firm resolve, to support Colonel O'Callaghan in these cases of eviction without expressing any opinion myself as to whether his action was morally justified or not. I appeal to those who protest against the scenes that have recently occurred at Bodyke to help the Government in taking the only possible step by which the recurrence of such scenes may be avoided—namely, to press on as fast as they can the grave Business now before the House, and to allow us to come to the consideration of the measure now in "another place," by which I believe and hope we shall effectually prevent the recurrence of such painful incidents for the future.

MR. WADDY (Lincolnshire, Brigg) said, that the Chief Secretary complained that they were driven to trust the untrustworthy statements of newspaper correspondents; but he would endeavour, as far as he was able, to give the Chief Secretary a report of what he himself had seen with his own eyes and heard at the scene of conflict with his own ears. It was the desire of those who made this Motion to obtain information in the most satisfactory way by appointing a Committee which would have power to bring witnesses before it. If the right hon. Gentleman were left to his "ordinary sources of information," he ventured to think that when those were exhausted the Chief Secretary might have a great deal of material but very little truth. Two questions were raised in the Motion before the House. One was the conduct of those to whom the task of effecting these evictions had been committed. On that point he would say but little. It was the more exciting, but, in his opinion, the less important of the two. It had been questioned whether one of the Sheriff's officers had or had not hurled a long crowbar through a hole made in a house, and smile triumphantly at what he had done. There was at that moment in the House an English gentleman, not a Member, who saw that crowbar launched from the man's hand, and he (Mr. Waddy) was standing within three or four feet of the man when he did it. It had also been denied that actual violence had been done to any of the tenants in the course of the evictions. He had in his hand telegraphic repetitions of affidavits sworn in Ireland by responsible men, who saw an old woman of 80, weak but unharmed in a house, and within a few minutes after the men entered that woman was seen by a doctor with bruises on her

face which were still visible after a week. He supposed, again, it would be said that was a story by a newspaper correspondent. He wished, however, to agree, as far as he could, with what had been said by the right hon. Gentleman with regard to Colonel Turner and the Constabulary. He was bound to say that while he was on the scene nothing could have been more perfectly good humoured than the conduct of the populace, nothing more perfectly wise and temperate than the conduct of the officers of the soldiers and constabulary; but the great fault of these proceedings was that they had a tendency to stir up angry feelings. Colonel Turner had behaved all through, so far as he was able to see, and so did Inspector Heard, with the greatest moderation and prudence, and, as far as possible, with kindness. But there was another branch of the inquiry which he considered to be of much greater and more permanent importance—namely the state of the law and the circumstances which had called forth the commencement of these proceedings—which rendered it not only possible, but actually a fact, that there was almost civil war in one part of Ireland. That state of things was justified by a Minister of the Crown as being carried on for the purpose of enforcing judicial rents. Now, before he stated the results of his inquiries, he wished to indicate the steps he had taken to arrive at the truth. He did not satisfy himself with the verbal statement of anybody; he did not satisfy himself with the report of any man, woman, or child; he got into the houses before the evictions took place and obtained from the tenants documents to which he thought the House would attach a good deal of importance. He now held in his hand receipts for rents signed by Colonel O'Callaghan, receipts for the amounts received by him in executions and distress, and the Government might see, if they liked, a list of the agreements under which these poor people had been holding. He brought to bear on his task not only whatever ordinary ability he possessed, but the experience gained from professional practice, and he believed that the real facts were these. As soon as Colonel O'Callaghan got the estate he at once mortgaged it very heavily, and then proceeded to raise the rents in every direction, utterly careless whether it was fair and honest or not. The same course was adopted in case, and one, therefore, would illustrate all. In the case of Tuohy it appeared that the rent of the farm in 1850 was about £20. In 1852 it was raised to £25 18*s.*; in 1854 to £32 10*s.*; in 1855 to £40; in 1858 to £46; in 1864 to £49; and in 1870 to £56 5*s.* 6*d.* It was a curious fact that all the rents went up about 1870, because legislation was expected on the Land Question, and they found that the rents were then raised far beyond the highest rational point, and bog and moorland, roads and rocks and all, were treated as perfectly good land, and £2 an Irish acre put upon every particle of the estate. Another case was that of a woman named Bridget Nugent, who was about 51 years of age, and had lived on the estate for 26 years. She brought to her husband a dowry of about £200. The original rent of the farm was £30 a-year; but the house was so bad that the tenants, sometimes in stormy weather, went out on the mountain, rather than sleep in it. No repairs were done by the landlord; and this man Nugent—who died 14 years ago—took his wife's money and expended it, together with his own labour, in building a substantial house. The rent was originally £30; but when the house was built it was raised to £83. It was necessary to remember what was the justification pleaded for this conduct, and what was the answer of the Irish Representatives. On the one hand, it was said, and had been repeated by the Irish Secretary a short time ago—"You must remember that these are judicial rents;" but the fact, which they forgot to mention and ignored, was that the judicial rents were fixed upon an already drained and depleted nation. The landlords had already reduced them to despair. They had taken from them all that they had. Nor was that all. It might be an Irish thing to say; but the landlords had taken from them that which they had not. The rent of these people had been paid by their children, who had gone to America or Australia, and the landlords, who cried out loudly against the American dollars that were subscribed to the National League, had not complained of the American dollars going into their own pockets. Well, from November, 1871, £41 10*s.* had been extracted every half-year from

this poor woman. The judicial rent was fixed at £46 10*s.* per annum, and that was based upon the house built by the tenant as well as the land. This was one of the first estates upon which the Land Commissioners had gone, and he believed they were afraid of their own power, and that, hearing how the estate was mortgaged, they wished to leave Colonel O'Callaghan a margin to live upon. Griffith's valuation of the holding in 1883 was only £39, and even that included the house which the woman's husband had built. He held in his hand about 20 promissory notes, which showed how hard the woman had all along been struggling to pay the rent; and he thought of the stories which he half believed before he went to Ireland—that the tenants could pay and would not. On the 3rd of the present month that poor woman was sold out of the house her husband had built with her money—where she had brought up her children; and, forsooth, they were told that it was necessary to send a force of police and soldiers to carry out evictions like these, because they were judicial rents! The woman had been cleaned out of every penny she had—she borrowed, and fought, and struggled—and now she was brought to her ruin. Hon. Members might say that was an exceptional case. Unfortunately, it was no such thing. Close by them was a farm under the management of another Nugent, who was in partnership with Hussey. The Poor Law valuation in 1853 was £3 15*s.* a-year. The following were the increases of rent:—£7 7*s.*, £16; in 1857, £20; and in 1869, £21. Griffith's valuation was £14, and the judicial rent was fixed at £16. This also was a case in which there had been an eviction within the last few days. Take the remarkable case of Moloney, of Clomoher. On the 27th of January, 1852, he had a lease giving him that property for £31 14*s.* 10*d.* per annum, which was a high rent, yet, at the expiration of the lease, the rent was raised to £82 per annum. The man had been defrauded—he could use no milder word — of the difference between £31 14*s.* 10*d.* and £82. This man, some time after his rent was raised from £31 14*s.* 10*d.* to £82, was earnestly urged to "preserve the game." There was another feature in the case to which he desired to call attention. Everybody knew what a bad year 1879 was. In that year this unfortunate man, by scraping together all he could, raised part of his rent, and was forgiven £11 for the half-year due in May, 1879. This reduction was marked as temporary in the receipt. Another abatement was subsequently made; but then the times became so bad that it was utterly impossible for the man to pay. The landlord took out a *fi. fa.* This man could not have continued the payment of this exorbitant rent but for a legacy of £350 which had been left to him, every 1*d.* of which went in rent. The house had been built by his own hands, not a stone or stick did the landlord give, and the whole thing was now swept away from him by eviction. This was the state of things which the House was told—in rather a half-hearted way, it was true, and he (Mr. Waddy) was glad of it—was inevitable. It could not be justified, it was said; but it was necessary. And to preserve this state of things the Government were hurrying forward a Bill to stifle the outcry of the victims rather than bringing in a measure to relieve the wrong. Take another case. There was a man of the name of Collings. [An hon. MEMBER: Jesse.] No, no; not that one; this one's name was Teddy. His original rent was 14 guineas. He was over-rented even at that. But his rent was raised to 16 guineas; then to £18; then successively to £22, £27, and £28 12*s.* 3*d.* This man built his house, and reclaimed four acres of bog. Griffith's valuation was £14 10*s.*, and the judicial rent was fixed at £16. Yet, after six years paying this exorbitant rent, the man was to be evicted from his house and farm. He had one child—a servant in New York—who had often sent him over money to pay his rent. And at the very time he was evicted he had one daughter dying of consumption, as was certified by the dispensary doctor of the district. This was a state of things which gave a lurid colour to the question, and would, at least, justify some inquiry and bring the Government to a pause in their hot pursuit of an emancipating measure which the Irish people did not want. He (Mr. Waddy) would not weary hon. Members by going through every wretched and wicked detail upon the estate. It would not do for hon. Members to say this was an

exceptional estate, and that he had picked it out. He had done nothing of the kind. The evictions were there, and he went to it for that reason. If the evictions had been elsewhere he would have gone elsewhere. The right hon. Gentleman had said that he was not anxious to support Colonel O'Callaghan; but he had worked himself up to do so, and it was necessary that the Chief Secretary should know who he was supporting. Then there was the case of Margaret Macnamara, in the course of whose eviction the Sheriff's officer fell down in a fit. This woman was 81 years of age. She had three or four children, all of whom, of course, were grown men and women. The husband was dead. He had built the house. He (Mr. Waddy) saw that woman hoisted through a hole in the house which her husband had built nearly 50 years ago. After reclaiming the bog these unfortunate tenants had their rent suddenly raised £9. At the same time, two acres of the bog were taken away from them and given to another man, who had his rent raised proportionately. The latter had shown him a drain which he had constructed nearly half-a-mile long. When he had finished the drain the rent was immediately raised. There were one or two Members of the House, including the hon. Member for North Meath (Mr. Mahony), who could confirm his statement. These people had been paying £36 a-year for the estate which they had brought into cultivation, and of which the judicial rent was only £22. All these cases pointed to one moral—the Government were doing nothing to set the matter right. They were making it possible for any other O'Callaghan to do the same thing to-morrow. The landlords having taken all their money, and their credit having been exhausted both at the banks and with the shopkeepers, the boon which the Government proposed to extend to these poor people was universal bankruptcy. And English soldiers were brought to back up such proceedings as those of Bodyke. He would not like to ridicule the men; but was it not a sarcasm on those 100 men of the Welsh Fusiliers to stand by and watch an old woman of 81 and a babe of three years of age dragged out of a house? He did not think that to the names inscribed on their flag—Badajoz, Corunna, Waterloo, and Alma—they would add that of Bodyke. Nothing could be better than the conduct of the people at the beginning; and if they later on stooped to conduct which could not be wholly and strictly justifiable, he was almost inclined to imitate the Chief Secretary and say—"I disapprove of it, but I decide to support it." He was much struck by the remark of one of the peasants to him, when he said—"Don't you think, Sir, that if we had Home Rule we would have had all this altered a good many years ago?" In that question was contained an indication of the importance which attached to this question of eviction. People were now leaving Ireland by thousands, and he heard with indignation a right hon. Gentleman say it was for fear of the Coercion Bill. There was not a particle of foundation in that. It was the system which produced the Bodyke evictions which was driving the people—the backbone of Ireland—away to America. Did the Government desire that the manhood of the country should leave in shiploads? If so, let them press on their Coercion Bill. He had no doubt that any right-minded Englishman, even the Speaker, who was so calm and cool, had he looked on at Bodyke would have felt his blood boil, and would have been filled with indignation. They had heard that the National League ruled Ireland, and in one sense from the bottom of his heart he believed it, for the National League was practically Ireland; and when he suggested to young men whom he saw at Bodyke that they were under the terror of the League, the look of good-humoured scorn that came into their eyes at the suggestion did one's heart good to witness. The priests at Bodyke were doing their best to keep the peace; but he warned the Government to pause in the course they were pursuing—to reconsider their policy of stifling the cry of the victims—for if they did not he greatly feared there was the danger—

"Lest when their latest hope is fled you taste
of their despair,
And learn by proof in some wild hour how
much the wretched dare."

MR. LAWSON (St. Pancras, W.) said, he yielded to no one in his respect for Colonel Turner, whom he believed to be an honourable and humane man, and he was certain that every Irish Member shared in that opinion; but it was strange that a General in command,

whose campaign finished at 3 o'clock in the afternoon, had been unable to furnish the right hon. Gentleman the Chief Secretary for Ireland with the information the Government liked. Perhaps there was another reason. Possibly Colonel Turner did not care to send the details of a campaign which he detested in his heart, and which not only he, but every one of the Constabulary and military officers acting with him detested. If the Government needed an independent witness—an English witness, uninfluenced by Press interests—he (Mr. Lawson) was ready to come forward, and to join with his hon. and learned Friend the Member for the Brigg Division of Lincolnshire (Mr. Waddy) in testifying to the need of an immediate inquiry into the state of things which had given occasion for the use of language at Bodyke which no one deprecated more strongly than he did. If they might judge from one sample of information given early in the evening, he should not attach too much importance, if he were Chief Secretary for Ireland, to the "usual channels of information." It had been denied in that House that the Constabulary had acted as Sheriff's bailiffs. On the first day he was at the evictions at Bodyke he saw the police enter the house of the Widow Macnamara simply because the bailiffs were afraid to go first. Everyone at the eviction on that day was of the opinion that the police were doing the bailiffs' work. He did not see the slightest sign of an act of violence such as had been alleged, although subsequently, on his return home, he had occasion to condemn language spoken at a meeting in Bodyke at part of which he was present; but, while he condemned that language, he condemned with fifty times more vehemence the wanton and wicked conduct and management which gave rise to the language, and which, in some measure, furnished its excuse and palliation. He would wish that his hon. Friend the Member for East Mayo (Mr. Dillon) had confined his Resolution to the carrying out of the evictions, and not include in it the conduct of the police on the first days of the evictions. The police appeared to be on the best of terms with the people, and they smoked and chatted together. It was said that 95 per cent of the police were Catholics. Of their political opinion nothing was known; but it would be difficult to find a finer or more intelligent body of men than the Royal Irish Constabulary. Like jurymen and politicians, they were only men, and at a certain point of exasperation did wrong things. The blame, he considered, rested not upon them, but on their paymasters—those who sent them to execute laws justly odious to the population, with which these men had much in common. With regard to Colonel O'Callaghan, he was not going to attack him personally; but who knew how far a combination of landlords in Ireland might be pressing him forward? A cousin of Colonel O'Callaghan was reported to have said that, as a relation, he would not advise him to go on; but, as a landlord, he advised him to do so. That was the general feeling. There was a combination of landowners and land agents, thus rendering possible a state of things which every man in that House must deplore. It was against the system and not the person they protested that night; it was the person and not the system the Chief Secretary denounced. Let them take the first of the series of cases given by Father Murphy, who had shown his desire for a peaceful settlement of all these matters. This was the case of Mrs. Nugent. On her holding the Government valuation was £39. The rent when she came into possession in 1850 was £30. The rent, before fixed in the Land Courts, was £83, and the judicial rent was £46 10*s*. For years tenants had been paying rents grossly and exorbitantly unfair, and money had gone into the pockets of landlords which could never come back. It had not come out of the soil, which was almost valueless, but from the hard-earned wages of those who migrated to other parts of Ireland or emigrated to the United States of America. [Mr. T. D. SULLIVAN: American dollars.] In these hard times land in such places as Bodyke was not capable of bearing rent in many cases, and where it was it was only where some wretched piece of bog had been reclaimed by the skill of the tenants. Every bit of land near Bodyke and Ennis—where he went with the valuer of the Land Commission sitting there—had been rendered valuable because it had been drained by the tenants and made valuable by their industry and energy. Houses there, as

over almost all Ireland, had been built by the tenants, and out of these holdings and houses the wretched people were being cast, even to the number of 100 a-day. He asked the House to bear in mind the circumstances of the present situation, and to remember the evictions that were going on all over Ireland. There could be only one result—the state of Ireland would go on from bad to worse. He had come back from the country a sad pessimist. He feared they would have the inevitable return for all the wrongs now being done, and what was going on justified the words uttered years ago by the right hon. Gentleman the senior Member for Birmingham (Mr. John Bright)—"Ireland alone is the land of evictions." It was said that the Land Question stood first in the eyes of the Irish peasant. If that were so, he knew perfectly well that the only machinery which would render such events as had recently occurred impossible—would be to give over the settlement of the social condition of the country to those who knew the elements with which they had to deal, who understood the conditions of the problem, and who had the confidence of the people with whom they would be called upon to act.

MR. A. E. PEASE (York) said, he rose to deal principally with the evictions elsewhere than at Bodyke, though he desired to say a few words in reference to the recent occurrences at Bodyke. Having visited the locality he was in a position to bear out nearly everything said by his hon. and learned Friend (Mr. Waddy) and his hon. Friend (Mr. Lawson). With regard to the conduct of the police at Bodyke recently, he could not bear any testimony either one way or the other; but when he was at Bodyke the police and the military appeared to be on not unfriendly terms with the people. The Constabulary appeared to sympathize with the victims in the eviction campaign, and the military did so even to a still greater degree. If the scenes of which they had heard in the newspapers had occurred, scenes in which great violence had been used by the police against the tenantry, he could quite believe it. It was almost a certain outcome of the mode and manner in which the whole campaign had been conducted for the last few years on the estate of Colonel O'Callaghan. He regretted very much that the tenants having resisted the campaign was the reason why public attention had been directed to the case. This country could not be brought to look at the evils, the oppression, and the tyranny that took place in Ireland, unless the people adopted violent courses. He regretted that extremity, and, therefore, he hoped to be allowed to give some evidence as to other evictions besides those at Bodyke, as he regarded it as a scandal to this country that it was only in the cases where the tenantry were driven to active resistance that their grievances were attended to, or attempted to be understood. The tenants at Bodyke had been rack-rented for a long period In 1879, the frightful year of depression in Ireland, something very like a no-rent manifesto was issued by the parish priest, arrears of rent accumulated, and in 1881 Colonel O'Callaghan brought a force of constabulary into the district, and then took place what was known in the neighbourhood as the "Battle of Bodyke." There was firing on both sides, and one life was sacrificed. The reason why there was so little bloodshed was that Father Murphy threw himself between the opposing lines of fire. There were rumours also that the people throughout the district were armed, and he believed that were it not for the efforts of the clergy and the local branch of the National League the people would have shown much more resistance to the campaign of eviction. From all that he saw and heard he believed that the leaders of the people had used their best endeavours to prevent anything like bloodshed or violence by the spectators of those frightful scenes. He knew that Mr. Davitt had recommended those who were about to be evicted to defend their homes, and he considered that the language used by Mr. Davitt had done not a little to prejudice the case of those who were in favour of Home Rule in Ireland, as well as in some manner to prejudice the case now before the House; but he (Mr. A. Pease) could not wonder at the feelings or the words of Mr. Davitt. He was certain that if hon. Members opposite were to go to that estate and other parts of Ireland, and see the work that was carried on in the name of law and order, they would not so constantly uphold repressive measures, but endeavour to alleviate the horrible

wrongs which the people were suffering all over the West of Ireland at the present moment. In order to substantiate the statement of his hon. and learned Friend (Mr. Waddy), he (Mr. A. Pease) would like to refer hon. Members to the table of judicial rents, as given in the June Return, 1882, with regard to the reductions of rent upon this estate; and he would like to point out that, under the column for observations, there were most telling particulars of the manner in which rents on the estate had from time to time been raised as the tenants improved their holdings. It did not matter where hon. Members turned to in the return of Colonel O'Callaghan's rents. Take the first two or three cases on the page he had opened at. The first was Ellen Wall, whose rent before 1853 was £9 13*s.* 6*d.*; in 1853, £12 10*s.*; in 1857, £14; in 1860, £15 9*s.*; and in 1867, £24. The next was the case of Michael Callaghan, whose rent in 1854 was £2, and in 1864 £3 3*s.*, afterwards raised to £4. The third case was that of Patrick Keiffe, whose rent in 1850 was £13 10*s.*; in 1855, £15; in 1857, £19; and in 1867 £30, and so on. One might go through nearly the whole list of tenants on this estate demonstrating by Government Returns a persistent and continuous process of raising the rents of those unfortunate tenants. In this case of Bodyke there were 87 tenants on the estate, and of these he understood that 53 were connected with the Plan of Campaign; but he could learn from no source that the balance between 57 and 83 had undue pressure brought to bear upon them to join in the combination. He did not know the particulars of the 57 tenants who had joined the Plan of Campaign. There might have been some amongst them who could have paid the rent demanded. Of that he could not speak; but he was absolutely convinced, as hon. Members opposite would be if they saw the labours of those people on their holdings, that the land could not produce even anything like the rent which was now being exacted by the landlord with the help of the military forces of this country. With the permission of the House he would read some answers given, he believed, by Sir Redvers Buller, before the Cowper Commission, and he felt convinced that Sir Redvers Buller was alluding to this very case of Bodyke in his answers to the following questions:—

"The President: The judicial rents, although they might have been fair at the time, cannot be paid now?—Sir Redvers Buller; I cannot say. The judicial rents were fixed wholesale, and fixed in a very summary, general way, mostly by percentages. I have been lately in the County of Clare—in fact, I have just come from Clare, where I have been endeavouring to prevent disturbances by inducing the landlord to give reduction. I have not succeeded, and I do not know that I shall; but in that case I am informed by his neighbours and relations that some of the judicial rents are too high. They were very easily fixed, and there are allowances even now on the same sort of land which appear to me to be much larger.

"Then you mean to say that you would desire further machinery to still further reduce rents?—Not to reduce the rents, but to inquire into the condition of tenants before proceeding to eviction."

The Government had no desire to introduce any machinery of that kind at Bridport. There were from 300 to 350 members of the Constabulary and 100 men of the Welsh Fusiliers, and what had taken place had not only brought about a state of bitterness between the tenants and the landlord, but had filled the minds of the people with resentment against the authorities. He did not like to take up any longer the time of the House by referring to the conduct of other landlords in the County Clare. He had been at Westport, in the neighbourhood of those islands against which an expedition was now being sent on board Her Majesty's Ship *Banterer*. One of those islands was Clare Island, and when he had been in that neighbourhood the tenants there were under notice of eviction. One scandalous thing about this matter was that the agent of that property was also the Sheriff, and for every eviction carried out on Clare Island one guinea went into his pocket. He would now turn his attention to Lord Sligo's estate. Lord Sligo, who owned 114,000 acres in that district, was an absentee, and drew from £20,000 to £25,000 a-year from that property. Lord Sligo had been drawing that immense sum out of that impoverished district since 1845, and now he, too, was evicting the tenants. In this case the landlord was a man who had not given any reduction to his tenants; no employment on his estate or in the town of Westport, which belonged to him; he had never spent one shilling

on the property, and had shown no mercy or consideration to his tenantry. Lord Sligo, he believed, was the same man who, some years ago, evicted 2,000 families on his estate in Mayo, and pulled down the houses. He (Mr. A. Pease) never saw such a dreadful state of things in any country as the aspect of that estate. It was covered with villages and houses, every house being unroofed except those of a few herdsmen. You could drive for miles through that property and see hundreds of unroofed cabins, in which at one time dwelt the miserable people who had reclaimed those holdings and built the houses, but who were turned out. Many of them died from starvation, thousands of them went into the workhouse, while many more went to America. He found on Lord Lucan's estate that there had been a persistent and continuous eviction of tenants. In two months, in the parish of Lecanvey alone, 140 of the pick of the residents had left the country and gone to America. When he asked the reason he was told—"Oh, it is the evictions." Some of the people seemed to think little of them; they had got so used to oppression and tyranny. Twelve of the tenants who had just been evicted had paid rents up to the last gale of £4 an acre for land, which in the North of England would fetch only 2*s*. 6*d*., or, at the most, 5*s*. an acre. Lord Lucan was also carrying out evictions on the Island of Innisturk. Out of 24 tenants 21 had been, or were about to be, evicted. It was here that Lord Lucan had formerly evicted 160 families, destroying all the houses on the island except two. He found, also, that in the neighbourhood of Westport evictions were being carried out by Sir Roger Palmer, who, as far as he (Mr. A. Pease) could gather, gave no abatement, no consideration, no assistance to his tenants, and, being an absentee, drew an enormous income out of the country. Here, close together, were three landlords who drew not only all the wealth of the district, much of which also came from America and other parts of the world to help the people, but they also took money which was given to the tenants by charitable persons in England, and notably in Manchester. He passed through other large properties, upon which he found evictions going on. Respecting one estate, he was assured by a Resident Magistrate that it belonged to one of the best landlords in Ireland. The reason given for this opinion was that last year, out of an income of £10,000, he had spent £6,000 in building a park wall. This was considered an act of great generosity on the part of a landlord towards his tenants, but not a penny had been spent upon the tenants, or for the improvement of their condition. But what the people were grateful for was that temporary employment had been given to them by the building of the park wall. When at Listowel he found wholesale convictions going on in the neighbourhood, principally on Lord Ormathwaite's estate, and here the price of butter had fallen from £5 and £6 per firkin to £2, and butter was in that district the main support of the farmers; and yet, notwithstanding that great drop in price, the poor farmers were shown no consideration, or, if any, very little. Indeed, it was a most touching thing—it was the most touching of anything connected with these evictions—to see whole villages as well as isolated houses unroofed, and yet the people making no resistance. The people had submitted patiently, or, at all events, without any overt resistance, to treatment which, if attempted towards the people of any other part of the United Kingdom, would have brought about a revolution. At Kilrush several landlords, including Colonel Vandeleur, was carrying out evictions, and on other estates, such as those owned by Mr. Winn, Mrs. Wood Martin, Mr. Ponsonby, Mr. Massy, Colonel Foster, Lord Annesley, Lord Kenmare, and many others, the same thing was going on; and all seemed to be anxious to make use of the time at their disposal whilst the present Government was in power. They felt that whilst they were under the shadow of a Coercion Government they might act as they liked, without much danger of the Parliament or the country calling them to account, or compelling them to hold their hands in their barbarous work. He had no doubt that, generally speaking, the tenantry in the West of Ireland would be much better off as the slaves than they were as the tenants of the landlords. As slaves there would be more mutual dependence and identity of interest, and they would receive kinder treatment than was dealt out to them as tenants. Under the present condition of things

they received no consideration whatever. They were ground down without mercy by the landlord, or by the English Insurance Companies, who had acquired the landlords' interests. The land system of Ireland was, in fact, a scandal such as no other country had ever seen; and he was very anxious, if possible, to induce the Government to alter their intentions towards those wretched people, and to take some steps to modify the tyranny which was now being exercised towards them. He had been on board a steamer from Kilrush to Limerick which was crowded with emigrants, who in nearly every case said they were leaving their country on account of evictions or high rents. One coastguardsman who had been in the Navy said the country was not worth living in, owing to the state of things, due, as he declared, to high rents and coercion, and he was going to Portsmouth to try to get on board a man-of-war again. All people in Ireland, except those whose interests were bound up with those of the landlords, would tell you the same tale of evictions, of high rents, and the prospects of disturbance when the Coercion Bill was carried. It was the very pick of the people who were being driven out of the country. He would not object to seeing voluntary emigration, but it was pitiable indeed to see people forced to emigrate under circumstances which produced in them feelings of intense hatred for the British Government. In one day at Killarney 240 families left for the United States of America, and on another day 120 persons for the same destination. He had been on board a steamboat with some of those people, and it would make an Englishman blush to hear the tones of scorn in which they spoke of this country when he asked why they did not go to Canada. He made many inquiries, and he found the general explanation was the high rents and evictions. Under certain circumstances he should not object to the people emigrating; but it was very sad, indeed, to see them rushing away from the country with the most intense hatred of England burning in their hearts. The people of Ireland looked upon the Government of England as responsible for all the tyranny from which they suffered, not only at the present time, but for generations past, and he was sorry to say that the conduct of the present Government was calculated rather to strengthen than to dissipate the feeling. In conclusion, he ventured to express a hope that hon. Members opposite would go to the West of Ireland and use their own eyes and ears, and learn for themselves the sad state of the country. If they did that, he was sure they would come back to that House with a different state of feeling from that which they now exhibited night after night in their places.

MR. M. J. KENNY (Tyrone, Mid) said, that, having spent a considerable portion of the time on the spot while the evictions at Bodyke were in progress, he had an opportunity of judging exactly of what took place there during the course of those proceedings.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. M. J. KENNY, resuming, said, the Chief Secretary for Ireland objected to the action of the hon. Member for East Mayo (Mr. Dillon) in bringing on that Motion for the Adjournment of the House at so early a date; but his hon. Friend had, in the course of that week, repeatedly addressed questions to those in that House who were responsible for the conduct of Irish affairs, and there had been time enough at the disposal of the Government to obtain sufficiently full information from Ireland on that subject if they had wished to do so. The Chief Secretary for Ireland had expressed his unwillingness to subject Colonel Turner to the ordeal of writing long despatches to him on that question every evening, considering the arduous nature of the duties in which he was recently engaged. Now, the evictions commenced about 9 o'clock in the morning and terminated at 3 in the afternoon, and Colonel Turner was encamped within two miles of the telegraph office, and could have communicated by wire with the authorities of Dublin Castle, and thence to London, either on the afternoon of the day on which he was engaged in those evictions, or else on Saturday week, or on Thursday last, two days on which no evictions were carried out, and when Colonel Turner, the police, and the soldiers enjoyed absolute rest. In the course of his speech the Chief Secretary referred to the newspaper reports, and spoke of them as being highly coloured.

During nine days of these evictions he was present as a spectator, and he was able to say that the accounts which appeared in the newspapers describing the scene at the evictions were in no sense exaggerated or highly coloured, but were substantially accurate descriptions of what occurred. The Chief Secretary for Ireland had thrown the cause of these evictions on to the landlord, which considerably relieved him (Mr. M. J. Kenny), and he was further relieved by the powerful and effective speech of the hon. and learned Gentleman (Mr. Waddy). The strong point of the Chief Secretary's argument seemed to be that the rents on this property were judicial rents. But, in opposition to this view, he desired to point out that those judicial rents were fixed several years ago, and since that time it had become extremely difficult for the tenants to pay them. Lord Cowper's Commission had shown that those rents were at least 14 per cent higher than if fixed now. It had also to be remembered that for 32 years previous to the fixing of those judicial rents the tenants on this estate had been subjected to a gigantic system of rack-renting; that everything they earned and got from their friends in America was taken from them in the shape of these excessive rents; and that the Land Act practically reached the poor tenants when they had become ruined men. The hon. and learned Gentleman (Mr. Waddy) had produced a promissory note as far back as 1878, showing that even then, when times were comparatively prosperous, Mrs. Nugent was forced to borrow money to pay her rent, and almost all the old tenants were practically in the same position, and, despite the Land Act, they had never been able to regain their ground. The Chief Secretary had accused them of preventing the Government amending the Land Law; but one portion of the Government proposal would simply mean this—they could do with a piece of paper what it now took the crowbars and the axes of the Emergency men to do, and he objected to anything which made eviction easier in Ireland than it was at the present time. The Chief Secretary also accused some of them with advising the tenants to resist the enforcement of the law. He (Mr. M. J. Kenny) had no hesitation in saying he did advise them to resist the enforcement of the law, but it was a law which even the Chief Secretary in his speech condemned; and he would say this—that on every occasion on which he happened to be brought into contact with the tenants of any estate who were fighting a battle like that he would advise those men to resist exactly as the tenants at Bodyke had resisted, and, if necessary, he would take part in helping them to resist. For the past nine months the houses of these unfortunate tenants had been in a state of siege; they had not enjoyed a good night's rest for the past six months while these ejectments were hanging over their heads; the whole country was in a state of siege, and all this was due to the conduct of the landlord. Father Murphy, owing to the generosity of an English gentleman, who proffered him £300 for the purpose, begged of the landlord to effect a settlement for £900; but that offer, which was the best Colonel O'Callaghan would ever get, was refused by him, although, at the same time, these tenants were holding themselves liable and responsible for a full year's rent on next September. The Under Secretary for Ireland, a day or two ago, stated, in reply to a Question, that during these evictions a crowbar was not thrown by an Emergency man, but that it slipped from the man's hand. Well, he (Mr. M. J. Kenny) saw that Emergency man, and could identify him, and unquestionably he threw the crowbar, and repeated the operation at the next house, looking round and winking and laughing at his friends after he had done so. In proof that these crowbars were thrown, they had two of them in their possession, one being at Dublin and the other in safe custody at Bodyke. One was a light instrument, whilst the other was an enormous crowbar with a steel point, and this was flung at the head of a tenant who was defending his house, and narrowly escaped striking him. The second statement denied was the assault on Mrs. Wall. He was standing exactly opposite this house during the eviction, and although he could not see the assault, he saw the policemen and Emergency men rush in, and the inmates were then assaulted. Mrs. Wall was a tottering old lady 80 years of age—she was unable to walk without a stick; she had this stick in her hand when the policemen entered, and one of them snatched

it from her hand and struck her on the head with it. He held in his hand affidavits from Dr. Dunworthy and Mrs. Wall, which left no doubt that the poor old lady had been violently assaulted. There were seven policemen who distinguished themselves by being the first to attack every house, which they broke into before the Emergency men. The crowds outside throughout these evictions were extremely peaceable, but the police, with batons in their hands, repeatedly charged them, and during the clearance of the land Mr. Davitt, himself, and the clergymen had to place themselves in a line between the police and the people to prevent the latter from being bludgeoned; and in one instance where he stepped in to prevent a constable from batoning a man the latter turned savagely on him and threatened to strike him on the head, a threat, however, which he did not carry out. The police at Feakle, also, under District Inspector Siddell and another officer, acted in a brutal manner without having the slightest justification for doing so. The whole circumstances, in short, served to illustrate the unreliability of the reports of the police in relation to such occurrences. When accusations were made against the police the answers were practically the answers of the police, and were, therefore, *ex parte* statements. What they now wanted was an independent tribunal to inquire into the truth or falsehood of the charges they brought, and they would continue to make that demand until such time as they had succeeded in effecting an alteration of the manner in which evictions were being carried out in Ireland. The men at Bodyke had done everything in their power to meet their obligations, and when they had failed to pay the rack-rents they were cruelly evicted. The case of O'Halloran was a hard one; but he admired the manner in which that family defended their house, and he hoped every other Irish tenant would act in identically the same manner under similar circumstances. The Chief Secretary for Ireland, of course, drew a picture of the hardships being suffered by evicted tenants in London. He would like to see a London tenant who built his own house and had been evicted. He thought they would see a general uprising of the people against transactions of that kind. He saw an interesting letter to-day in *The Times* from Mr. Clifford Lloyd, their old friend, in which he criticized the officers engaged in these outrages. He did not altogether agree with Mr. Clifford Lloyd, and he thought it would have been more decent on his part, if, instead of writing to *The Times*, he had sent a respectful letter to the Chief Secretary for Ireland, asking to be re-appointed. The Chief Secretary for Ireland complained that they made political capital out of the case. Of course they made political capital out of it, and they would continue to make political capital out of it until they made it impossible for them to evict a single tenant in Ireland. There was a remarkable consensus of opinion among the correspondents of the London newspapers, irrespective of their politics, as to the violent conduct of the police. The Reports which Colonel Turner sent to the Under Secretary were supplied by the local inspectors. One of these inspectors had incited the people to acts of violence in order to afford an excuse for the police bludgeoning the mob. The law had done its worst in this matter, and no doubt many men would be sent to gaol. When they came out of prison, however, they would continue to fight against landlordism, and before many years had run he believed that the landlords would be brought upon their knees. If the Party opposite desired to place property upon a more secure footing, they must not play into the hands of a small number of men who altogether disregarded the welfare of the people of Ireland.

Mr. T. W. RUSSELL (Tyrone, S.) said, if, when the Division Bells rang, Members of the House were to be called upon to give their vote on the dispute between Colonel O'Callaghan and his tenants, there would be a prospect of something like unanimity in the verdict. Colonel O'Callaghan was the type of all that was worst in Irish landlordism. There was no worse case of rent-raising and confiscation of the interests of tenants than could be found on his estate. The hon. Member for St. Pancras (Mr. Lawson) said he was one of a combination of landlords urging on this extreme action; but he (Mr. T. W. Russell) had reason to know that many landlords had done their best to prevent Colonel O'Callaghan from carrying out these evictions. ["Oh, oh!"] He knew it

to be a fact that Colonel O'Callaghan had taken his course in spite of the entreaties of the best of Irish landlords. Now, admitting all this—and anyone who knew anything about Bodyke and this case must admit it—he asked any hon. Member, what had the Executive Government in Ireland to do with it? Colonel O'Callaghan got his legal decrees from a competent Court. He proceeded to execute these decrees, and no hon. Member could stand up and say that the Executive Government would have been justified in refusing him the force necessary to execute those legal decrees. All that could be said about Bodyke constituted the most excellent reason for stopping the chatter that for four months had continued on the Address, on the Closure Resolution, and on the Crimes Bill, and for enabling the House to take up, and, if necessary, improve a Bill that was in "another place," and which, if carried, would put a stop to these evictions. Hon. Members representing Ireland on that side of the House had done that which they considered to be their duty in opposing the Crimes Bill, and he was endeavouring to do his in protesting strenuously against their conduct. In the name of the tenant farmers whom he represented in that House, he (Mr. T. W. Russell) protested against the action of those hon. Members to whom he had referred, because it tended to delay, and had, in fact, delayed, the passing of a measure which, even if it did not already give, might be made to give, to the tenant farmers that protection which they ought to have. There was one clause in it. [An hon. MEMBER: The Bankruptcy Clause.] No, not the Bankruptcy Clause, but another. It would not be in Order that he should then discuss the provisions of a measure which was still in "another place;" but he might say that in the Bill to which he was referring there was one clause which would prevent a repetition of the scenes which he was sorry to say had occurred in the course of the Bodyke evictions. What did the Resolution of the hon. Member for East Mayo (Mr. Dillon) mean? The hon. Member proposed to inquire into these evictions, and into the conduct of the police with respect to them. What good, he (Mr. T. W. Russell) should like to know, could come of an inquiry into these evictions? The poor people had already been evicted from their farms, and were now out of their houses, and it really seemed to him to be only a sort of Job's comfort to offer them an inquiry into the evictions after they had been accomplished. What that House should, in his opinion, do was to prevent similar evictions for the future. Well, but no inquiry could further that. Then they were told that the conduct of the police was to be inquired into; but he (Mr. T. W. Russell) was very cautious, after the experience he had had of charges against the police, of believing everything that he heard alleged against them. They were told that they were to listen to the statements of three English Gentlemen with respect to the conduct of the police. Well, he had listened to the statements of three hon. Gentlemen, representing English constituencies, who were present at these evictions——

MR. DILLON said, that these English Members were not present during the time to which the charges which had been made against the police had reference.

MR. T. W. RUSSELL: Let the House listen and attend to the testimony which these three Members, representing English constituencies, had borne to the conduct of the Royal Irish Constabulary at Bodyke. It was the nearest parallel to the case of Balaam he had ever heard of. These three English Gentlemen were expected to bless, and lo! they had altogether cursed the hon. Member for East Mayo. They had answered the Resolution of the hon. Member for East Mayo, and the case by which it was supported; for every one of these Gentlemen had borne the most explicit testimony to the fairness and good temper of the police and the military while they were present at these Bodyke evictions. But they were told to read the newspapers. Well, he (Mr. T. W. Russell) knew something about newspaper work, and how it was done. He would ask hon. Members near him if they would assure him (Mr. T. W. Russell) that the man who wrote the report of the Feakle disturbance for the newspapers was actually present at them.

MR. COX (Clare, E.): I can assure the hon. Member that he was on the spot.

MR. T. W. RUSSELL said, that as often as not reports of these cases were

conveyed to newspaper men by men who were not newspaper reporters. He recollected that some little time ago all sorts and descriptions of charges were brought against the conduct of the police in Belfast. They had statements from an hon. Member (Mr. De Cobain), who represented one part of that borough, as to the alleged brutal conduct of the police towards the citizens of that town. But let the House remember that, when these charges against the police were brought forward before the Royal Commission presided over by Mr. Justice Day, they were found to be absolutely groundless; and he very much regretted that he himself had, by the statements made to him, been misled into making any charges against the police. That made him say that he was exceedingly chary of believing these reports against the police, except they were borne out and supported by evidence that was absolutely incontrovertible. He must say at once that he had not heard any evidence of that sort adduced against the police that night. He had, it was true, heard of an Emergency man thrusting a crowbar into a house, and he had also heard a statement as to the police thrusting their bayonets into the walls of houses; but the only charge of a definite character that he heard of was against Emergency men, and not against members of the Police Force.

MR. M. J. KENNY said, that in the course of his speech he had accused the police of assaulting an old woman of 80 years of age. This charge was supported by the evidence of the local doctor.

MR. T. W. RUSSELL said, that the local doctor, so far as he understood, made no charge against the members of the Police Force; but what were the facts? It was stated that the walls of the house had fallen in, and he (Mr. T. W. Russell) thought it much more likely that the old woman was injured by the falling *débris* than that she was struck by the police. Considering that the old woman was 80 years of age, it was almost impossible and well-nigh incredible that a member of a force to whose character such high testimony had been borne that night would have been guilty of such a cowardly and ruffianly attack. Who had given the information to the Government on which they relied, and which had been read out to the House that night? A gentleman of the highest character, and admitted to be honourable in all the relations of life—he meant Colonel Turner. It so happened that Colonel Turner agreed with hon. Gentlemen below the Gangway in politics, and that, he supposed, was why he was recognized by them as a man so respectable and altogether honourable as he had been described that night. It was certainly the first time that he had ever heard a magistrate lauded by those hon. Gentlemen. Well, this Colonel Turner was the conduit pipe through which all the information had reached the Government, and he put his testimony against the testimony—if it could be called such—which they heard against the police that night. The House could, if it were desirous to do so, stop such scenes as had occurred in the course of these Bodyke evictions. A most solemn responsibility, in his opinion, rested upon them, and a responsibility which they could never discharge if they continued to spend 10 days on the Address, 15 days on a Rule of Procedure, and he knew not how many days on six clauses of another Bill. In conclusion, he desired to say that in the name and on behalf of the tenant farmers whom he represented, and in whose name he had a right to speak, he begged that House to give up the idle chatter which was now going on with regard to crime in Ireland, and face with seriousness and earnestness the real work of the Government and of the Session — though they were now approaching July—the amendment of the Irish Land Laws?

MR. J. E. REDMOND (Wexford, N.) said, he was always glad to hear the hon. Member who had just sat down speaking in that House, because he seldom brought any strength or assistance to the cause he advocated. As a general rule, the hon. Member showed clearly the rabid and intolerant spirit of the small minority he represented in resisting the demand of the Irish people. The hon. Member had given the most conclusive reason why some action should be taken by the Executive Government to interfere with the present deplorable state of things which was going on on many estates in Ireland as well as on the estates at Bodyke. Nothing could be more hollow or more insincere than the talk indulged in by the hon. Gentleman and men like him, who complained of the time wasted in that

House by the discussion of the Irish Coercion Bill. Who was responsible for placing the Irish Coercion Bill before the Bill which they professed to think would remove the grievances which they acknowledged existed? He might retort upon the hon. Member and say that he and those who acted with him on the Liberal side of the House in supporting the present Government were the real obstructors of remedial legislation. The Executive could press forward their Land Bill with urgency if they liked, if they believed it to be a remedy for the present grievances, instead of wasting time with a useless measure, and they could take care that if these evictions were to take place that they were carried out with as little provocation to the people as was absolutely neccssary. The whole strength of their case was that these Bodyke incidents were only part of a number of incidents which were taking place all over Ireland. It was with strange feelings that Irish Members, day after day, listened in the House to the arrangements made for the gorgeous ceremonials in Westminster Abbey. One hon. Member had to-night asked whether on the day of the Jubilee evictions were to be suspended in Ireland, and he was told that that could not be done; and also that the Bodyke evictions had stopped. It was not only possible, but it was very probable, that while they were, with stately pageant in London, celebrating the Jubilee of the Queen, in Ireland they would be celebrating the Jubilee by sending their red coats to turn out upon the roadside miserable and half-famished subjects of the Queen, who were guilty of no wrong and no injustice, but who had the curse and misfortune of being Irishmen living in their own land. The right hon. Gentleman the Chief Secretary for Ireland complained that it was unfair to raise that discussion that night, because he had not full information on the subject. He would seriously and solemnly ask the House what better use public money could be put to than in using the telegraph and other means for the purpose of obtaining information of desperate incidents of this character? He had never heard an excuse which sounded more insulting to the House. The right hon. Gentleman said that the police were only fulfilling their duty in what they did, and the hon. Gentleman who had just sat down referred to the fact that the three Englishmen who had spoken of the evictions bore testimony to the fact that the police did not overstep their duties. Those three Englishmen, however, only saw the commencement of the proceedings, and it was after they left that the ill-feeling sprang up and the villainous conduct on the part of the police took place. He could not conceive how a Government, in face of the serious accusations that had been made, could refuse to institute an inquiry into the conduct of the police. Their refusal to do so would still further complicate matters in Ireland, and would still further endanger the public peace, and, he feared, precipitate scenes of violence at evictions, which were in a few days to take place in other districts in Ireland. He had always counselled the Irish people, and the people at these evictions, even in the face of terrible provocation, not to outstep the law or give way to violence, because he believed that the moment they were guilty of illegal conduct and acted with violence, that moment they began to play into the hands of their enemies, and he conceived that the Party which at the present moment had the most to gain by scenes of violence in Ireland was the Party represented on the Front Bench, and supported on the Opposition side of the House by the Liberal Unionists. But he must candidly state that while he would always raise his voice to prevent any action which would give strength to their enemies in the struggle, at the same time he felt bound solemnly to say that he did not believe that any influence would be strong enough to preserve the public peace if scenes like those enacted at Bodyke were repeated and persisted in; and he said it was the duty of the Government, without losing one single hour, to take some action to free Ireland from scenes which in the end would, without doubt, result in violence and bloodshed. If the Government did not do this, he believed that every honest man in this country and in Ireland would draw this inference alone from their conduct—that they desired scenes of violence and bloodshed in order to justify their conduct; and he hoped that the English people, recognizing that that was their motive, would make their opinion clear that that ob-

ject was a nefarious one which deserved the condemnation of every patriotic man, whether Conservative or Liberal.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I think, Sir, it must be generally felt upon the Benches opposite that this debate leaves the Government in an extremely unsatisfactory position, a position that ought to be as unsatisfactory to themselves and to hon. Gentlemen on the other side as it is to anyone on this side of the House. The Chief Secretary to-night excused himself from entering into any discussion on the conduct of the police, on the ground that he could not possess full information as to what the actual course of proceedings at the Bodyke evictions had been. All I can say upon that point is, that we had in our time experience of far heavier charges being made against the police in the case of the Belfast riots. Surely the right hon. Gentleman cannot deny that the transactions at Belfast were far more serious in the tax they laid upon the attention of the Executive officers than the proceedings at Bodyke? We received Reports not only every 24 hours, but I venture to assure the House that there was scarcely an hour in which we did not have very full information as to the actual course of proceedings in Belfast.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I never denied that we had daily Reports. What I said was, that we could not expect the Executive officers to write long despatches every evening.

MR. JOHN MORLEY: No; but the right hon. Gentleman should be good enough to remember that this discussion arises upon occurrences which took place last Sunday. We are now at Thursday; and does the right hon. Gentleman really mean to say that the time of Colonel Turner and the Executive officers is so absorbed by their work of evictions, which is usually stopped at 3 in the afternoon, that between the Sunday and the Thursday he is not able to obtain from them full and true information? I should have thought he would have taken steps to have got that information in the interests of the police and the officers themselves. I, for my part, am glad to hear from hon. Gentlemen who were present, and from others, that the conduct of the Constabulary was good. I, myself, have experienced what it is to have to defend the police against unjust attacks, and I should always be glad of good evidence as to the good conduct of the Constabulary. But in the interests of the police themselves, when the right hon. Gentleman saw important charges against them in the London newspapers, it was his duty to have got by this time full information as to the points now charged against them.

MR. A. J. BALFOUR: I am extremely unwilling to interrupt the right hon. Gentleman; but I have full information from the officers on the spot that the conduct of the police has been exemplary, though I have not yet a detailed account of particular charges such as those which were made by the hon. Member for East Mayo (Mr. Dillon) against a policeman of pursuing a boy into a house, and knocking him down.

MR. JOHN MORLEY: Of course that is fair enough.

MR. A. J. BALFOUR: I have specific information as to the conduct of the police.

MR. JOHN MORLEY: Well, Sir, if the right hon. Gentleman had that information, it would, I conceive, have saved a great deal of time, and a great deal of friction, and a great deal of misgiving, I believe, on the part of some of his followers sitting behind him, if he had favoured the House with it; because we are all interested—even hon. Gentlemen below the Gangway will some day be interested—in the character of the Royal Irish Constabulary. The right hon. Gentleman seemed to think that this discussion was irrelevantly and improperly introduced into the midst of more important debates on the Crimes Bill. After listening carefully to this debate, I submit that no debate which could have been raised would have been more germane to the Crimes Bill. I am very much mistaken if the evidence which has been brought before the House by English Members to-night does not have a very salutary effect on the judgment which the constituencies will by-and-bye pronounce. The right hon. Gentleman himself did not pretend for a moment to defend the conduct of Colonel O'Callaghan; and the hon. Member for South Tyrone (Mr. T. W. Russell) has, in the most emphatic and point blank manner,

denounced the conduct of that gentleman. I pronounce no opinion upon his conduct, for I know nothing of him except what I have heard; but this I do say, that the Crimes Bill is a Bill for maintaining the Colonel O'Callaghans of Ireland. That is why this debate is not irrelevant. The right hon. Gentleman reproached us with preventing this House from dealing with such cases as that of Colonel O'Callaghan, and with such evictions as those at Bodyke, by remedial legislation, and he made what I think, upon reflection, he will himself admit to be a most extraordinary statement. The right hon. Gentleman asked us how we, by anything we have suggested, could have relieved such cases as those at Bodyke? The right hon. Gentleman says that the proper way of giving relief to such cases as those at Bodyke is by pushing on the Bill which is now in "another place." [Mr. A. J. BALFOUR: Hear, hear!] Sir, I should be out of Order if I were to discuss that Bill at any length, but perhaps I may be permitted to devote as many sentences to it as the right hon. Gentleman did. I wish the right hon. Gentleman could have spoken again in this debate; but as he cannot, perhaps some other right hon. Gentleman near him will address the House. How are we in this House responsible for noble Lords in "another place" fixing the Report of the Land Bill for so late a date as July 1? Then there is another point. Which Bill does he mean? I ask this question, because they have already had in "another place" practically two Bills, and there is a common idea that when the 1st of July comes such changes will have been introduced as will make it practically a third Bill. I will only urge one point which bears on the present discussion, and that is that the one provision in that Bill which provides for the revision of rent outside of bankruptcy was, on Monday night last, thrown over by Her Majesty's Government. Why has the remedial legislation against such proceedings as those which we are now considering been delayed? We know very well what the reason is that remedial legislation has been delayed. It is not delayed because we are considering the Crimes Bill here, but because Her Majesty's Government find great difficulty in regard to the Bill for the relief, nominally, of the Irish tenants in coming to terms with their friends the Irish landlords. So much for that charge. I confess I am amazed that the hon. Member for South Tyrone should give the name of "chatter" to a discussion on such a measure as the Crimes Bill; but there appear to be hon. Members who have no sympathy for anything outside their own Party views.

MR. T. W. RUSSELL: I did not refer to the Crimes Bill only, but to the delay on the Address, to the delay on the Procedure Resolution, as well as to the delay on the Crimes Bill.

MR. JOHN MORLEY: The hon. Member refers to the delay on the Address. I remember in detail the proceedings on the Address, and I venture to say that most part of the debate on the Address was devoted to pressing upon the House an issue which, if the House had appreciated it, would have prevented the necessity for discussing the Bodyke evictions to-night. The main part of the debate on the Address was devoted to pressing on the House the necessity of dealing with the question of the land. The hon. Member for the City of Cork (Mr. Parnell) moved an Amendment which was largely debated, and what was the object of that Amendment? The point of it was that it was above all things necessary to deal with the question of the land, with a view to preventing harsh and unjust evictions. Now, Sir, the right hon. Gentleman himself has not denied to-night, has never denied, and will not deny that these evictions which he is necessarily—the law being what it is—engaged in using force to carry out, are harsh and unjust evictions. I wonder why the right hon. Gentleman has not taken the same course that was taken by his Predecessor, the right hon. Member for West Bristol (Sir Michael Hicks-Beach), who told us that he had exerted his influence to prevent the Irish landlords from using their legal rights harshly. I regret that we do not hear the same language from the present Chief Secretary. I do not for a moment say that the humanity of the right hon. Gentleman is one whit less active than that of anybody else; but he has such a conception of his position as to place before all the other objects for which Government exists, the one object of

driving the discontent of Irish tenants beneath the surface, without the least regard to the greater ends of government. The right hon. Gentleman to-night said that he wished to recall the sentiment of the country to sane and sober methods. He said there were scenes here quite as hideous as the sufferings of the people of Bodyke. He said and said truly—I do not deny it for a moment—that we have within a few hundred yards of the Chamber where we are now sitting, cases of misery, of horror, and of suffering on the part of little children and women and innocent persons of all kinds, as grievous and as heartrending as the sufferings of the people at Bodyke. But the right hon. Gentleman forgets, I think, the great central facts of these miseries in Ireland. What goes on within a few hundred yards of this House is, indeed, well calculated to excite our pity. What we have heard to-night, in the admirable speech of the hon. and learned Member for the Brigg Division of Lincolnshire (Mr. Waddy), and that of the hon. Member for Mid Tyrone (Mr. M. J. Kenny), moves in us not only feelings of pity—though it moves that—but even on the Benches opposite it moves feelings of indignant reprobation and anger. Miseries in London and in other great cities are due to a vast variety of causes; but they are not due, as far as I know, to causes which the Legislature could, and admits that it ought to, prevent. You cannot find for me a case in London like the case of the Widow Nugent—I think that is her name. This is what constitutes the peculiarity of Irish wrongs and Irish grievances—that you have there a gross moral wrong. In the case of the widow Nugent, the husband built a house out of her money. He strove, year after year, to meet what everyone in this House admits to be an excessive, an exorbitant, and a monstrous rent. And then, after these exactions have been endured for years, their little house is taken from them, and they are turned out on to the roadside. That is what constitutes the wrong of the Irish tenant. I have often been taken to task for saying that the Irish land system is one of the most monstrous in the history of mankind. Have we not all heard good evidence to-night that at least on the Bodyke property no system could be more monstrous or more calculated to arouse the indignation of every honest man, no matter to what Party he belongs? I submit, then, that the analogy with which the right hon. Gentleman endeavoured to soften the edge of this story is an analogy which will not bear to be dwelt upon. The right hon. Gentleman forgets—at any rate, he leaves out of sight—the position which we on this side of the House have taken up since this Parliament met. We said that unless something was done to deal with the Land Question, and to stay evictions, and unless something was done promptly, disorders would inevitably arise in Ireland. The disorders which have begun at Bodyke, and which are very likely to extend elsewhere, are a proof that what we said then was said with a just and an accurate appreciation of what was likely to happen. What did we say at the beginning of this Session? We said—"You are proceeding in an inverted order. You are going to bring in your Coercion Bill first, and your remedial Bill afterwards." And we urged and entreated you to bring in a remedial Bill first, and then, if you thought fit, your Coercion Bill. The whole course of the debate to-night has shown that we are absolutely right. [*A laugh.*] In spite of that laugh, I will appeal to hon. Members generally to ask themselves whether the state of things, both in this country and in Ireland, would not have been better if the Government had taken our advice instead of following their own devices, and had brought in first the remedial Bill, which, in some shape or other, is to come down to us at some time or other? Then, if you found that your remedial legislation had not stayed disorder, you might have brought in any other measure you liked. I submit that the course of this discussion has shown beyond dispute that you are now bringing in a Coercion Bill to deal with offences which your own neglect of remedial legislation is rapidly provoking, and which it will still further provoke, and with which your coercion is powerless and will be powerless to deal.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): The right hon. Gentleman has explained

what for many hours seemed doubtful to us—namely, the meaning of the Motion made to-night. He has stated that this debate is extremely germane to the Crimes Bill. I take the liberty of interpreting that to mean this—that the whole of the House, including the friends, allies, and followers of the right hon. Gentleman, were sick to death of the dreary iteration which has marked the debate on the Crimes Bill, that the House, their own followers, and the country were so weary and exhausted by the tiresome repetition and incessant iteration of the old arguments which have marked this debate that it was sought to introduce some novelty by the sensation of to-night; and accordingly, by a pre-arranged plan, the hon. and learned Member for the Brigg Division of Lincolnshire (Mr. Waddy) comes down with his receipts and his leases, and the hon. Member for West St. Pancras (Mr. Lawson) comes down also with documents collected from Ireland, and the hon. Member for York (Mr. A. E. Pease) comes down with a prolonged account of a long tour in Ireland. This is an elaborately revised scheme for throwing a little novelty into the debate on the Crimes Bill, of which we have got so insufferably weary. And what does the debate come to? The hon. Member for East Mayo (Mr. Dillon) naturally, properly, and logically made it the head and front of his argument in support of this Motion that the police had misconducted themselves in connection with the Bodyke evictions. It would have been too intolerable a proposition to submit to the House of Commons that our debates upon a subject of vital, momentous, and, if you please, disreputable policy—I mean the policy of amending the Criminal Law, in order to make it more swift and efficient—should be interrupted in order to discuss whether Colonel O'Callaghan was a harsh or a good landlord, whether he has dealt fairly or usuriously with his tenants, and whether his rents have been properly or improperly raised. It would have been too ludicrous to interrupt our debates upon such a subject; and therefore the hon. Member for East Mayo properly, logically, and legitimately put his Motion as a Motion of urgent public importance—that, I believe, is the Parliamentary slang. [*Cries of* "Oh!" *and* "Withdraw!"] That is why we were to have English witnesses called.

MR. DILLON: I am sorry to interrupt the right hon. and learned Gentleman; but he has emphasized a statement which was the reverse of the truth. The notice I handed to you, Sir, called direct attention to the unjust evictions of 36 families. That is the forefront of the Motion.

MR. MATTHEWS: No doubt that is the chronological order, but it is not the order of importance. The hon. Member for East Mayo is far too good a judge of Parliamentary tactics—I say so with all possible respect—to commit the blunder and fall into the trap into which the hon. and learned Member for the Brigg Division fell in confining his speech to a narrative of the woes of the widow Bridget O'Brien. Do not suppose that I am speaking disrespectfully, or without sympathy. I am coming to that subject in a moment. But what I say is, that no Member of this House would have ventured to say that the improper treatment of his tenants by Colonel O'Callaghan was a proper reason for interrupting the debate on the Crimes Bill. The hon. Member for East Mayo's argument is that it is the Executive who are supporting by force an unjust landlord; that the police have by improper means supported this man. For that the English witnesses were called, and appeared in the shape of the hon. Members for York and West St. Pancras.

MR. DILLON: The English witnesses I called were eye-witnesses, whose statements appeared in the Press of this country. The three Members who have spoken were not the eye-witnesses I referred to.

MR. MATTHEWS: Then the witnesses who have been called did not appear. I was going to speak of these witnesses, and to state that their evidence is destructive of the argument of the hon. Member for East Mayo so far as their argument was an attack upon the police. The hon. and learned Member for the Brigg Division was not so effusive as the other two hon. Members in his praise of the conduct of the Constabulary. The other two hon. Members described the conduct of the police, in terms by no means exaggerated, as praiseworthy. They were Catholics,

and friendly to the people. The hon. Member for York strongly praised the conduct of the police.

MR. A. E. PEASE (York): May I be allowed to say——

Mr. MATTHEWS continued standing. [*Cries from the Opposition of* "Pease!"]

MR. SPEAKER: If the right hon. and learned Gentleman does not give way he is in possession of the House.

MR. T. M. HEALY (Longford, N.): He is afraid to hear the truth.

MR. MATTHEWS: I trust the hon. and learned Member will allow me to continue my speech. [An hon. MEMBER: You have misquoted him.] I listened to the hon. Member for York during the whole of that somewhat long narrative of his Irish tour without the slightest interruption by word or sign. He spoke highly of the police whose action he witnessed.

MR. A. E. PEASE: While I was there.

MR. MATTHEWS: The hon. Member has nothing to say against the conduct of the police while he was there. Since he has been away he has heard a great deal from those who inspired him. That is precisely the case we make. All candid eye-witnesses saw nothing to object to in the action of the Constabulary. The moment you rely upon the reports of less impartial persons—[Mr. J. E. REDMOND: *The Times!*]—the English witnesses fail the hon. Member for East Mayo. But I do not wish to confine what I venture to say to the House to mere criticism upon the sort of testimony by which this Motion has been supported. I should like, in a few words, to follow the whole debate that has taken place. In the first place, we have heard a vast deal of criticism from hon. Gentlemen opposite of this landlord, Colonel O'Callaghan. I do not, Sir, enjoy the freedom of hon. Members opposite, who think it consistent with their duty to speak of Colonel O'Callaghan as they have done to-night. I conceive I should be doing wrong, speaking from this Bench, if I were to pass judgment upon Colonel O'Callaghan and his conduct. The hon. and learned Member for the Brigg Division stated his case relating to individual tenants upon Colonel O'Callaghan's estate, to which I do not conceive it to be my right or duty to reply. But, assuming his facts to be true, these were cases which were intolerably harsh, and which no fair, still less any liberal man, would for a moment defend. I myself believe, from what I know of Ireland, that the circumstances of this Bodyke estate are entirely exceptional. ["No, no!" *from the Home Rule Benches, and a gesture of dissent from* Sir WILLIAM HARCOURT.] The right hon. Member for Derby shakes his head; but "there is nothing in it." [*A laugh from an* hon. MEMBER: Sheridan!] No, I do not mean that; I was only quoting Sheridan. What I say is, that the mere fact that the Landlord Association of Ireland held themselves aloof from Colonel O'Callaghan—so far as I can judge, he has not the sympathy of a single person even of his own class—entitles me to say that it is an exceptional case. [*Cries of* "No; certainly not."] I do not mean to say more than that. I do not think I exceed the strict limits of equity in this matter. You have, then, an exceptional case. ["No, no!"] Take it, if you please, that it is not exceptional. Take it as excessive, harsh, and even usurious cruelty—an aggravation of the advantages which the landlord has over the tenant in Ireland. Do you ascribe the blame of that to us? [*Cries of* "Yes!" *and* "Hear, hear!" *from the Irish Members.*] I understand you are unreasonable enough to say that by those cheers. I say—and I think most impartial men will agree with me—that that condition of things is simply unintelligible to Englishmen from an English point of view, and can only have arisen from the singular economic condition of Ireland which has now endured for centuries. There is the case of the widow Nugent, who built a house at an expense of £200 upon land which her husband had held as tenant from year to year, and straightway the rent was raised. I confess that I should like to have that statement confirmed by documentary evidence. In England, if a similar thing were attempted in such a case, the tenant would go away. [*A laugh.*] I anticipated that laugh. Your view is, I know, that the circumstances of Ireland are such that the tenant cannot go away; that he has no choice, and must remain upon his holding. That state of things is, I say, created by the economic condition of Ireland, and not by any legislation. It is not the law that prevents the widow

Nugent from finding a holding elsewhere. The source of the excess of demand over supply, which alone renders such things possible, is found in the economic condition of the country, for which it is monstrous to say that any law, any Government, is responsible. What is the justification of the legislation of the right hon. Gentleman opposite? There can be no excuse for the legislation of 1881, except that the state of things created by the economic condition of Ireland was such that the promoters of that legislation were compelled to make the law interpose between landlord and tenant, the tenant being unable to make fair contracts for himself. I do not say that the right hon. Member for Newcastle-upon-Tyne is responsible for that legislation, but the right hon. Member for Derby was a party to it, and has defended it. It was only on the ground that cases like that of the widow Nugent were common that you could justify such an interposition of the State between full-grown people who are free agents—[*Cries of* "Oh!"]—in deference to the views of hon. Members opposite I will say *primâ facie* free agents. They cannot deny that *primâ facie* full-grown tenants are free agents, and can make what contracts they like. The only thing that could justify your interference between the tenants and their landlords was that the economic condition of the country was such that the tenants could not contract upon terms acceptable to themselves. But hon. Members opposite undertook to remedy this state of things, and the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) declared that he had purged the law of Ireland of the last trace of injustice. The system introduced by the right hon. Gentleman was the system of legislation under which the judicial rents of Colonel O'Callaghan were fixed. Therefore, when hon. Members get up in this House, and talk of those rents being monstrous, iniquitous, unjust, and usurious, they are indirectly attacking the Front Bench opposite. It is most unfair to attack their legislation, because in the particular case of Colonel O'Callaghan the Land Commissioners blundered, and did not fix the rents as low as they ought to have been fixed. I do not pretend to say whether these rents were fixed too low or not; I am not saying whether or not the Commissioners fixed Colonel O'Callaghan's rents in the stupidest and most unfair way that could be imagined; but that is really the charge that is brought against them by hon. Members below the Gangway opposite. What was done was to appoint Commissioners to fix the rents. It is alleged that the Commissioners have failed to do that, and that they have fixed unfair and preposterous rents. In no sense are we or right hon. Gentlemen opposite responsible for that. To charge either the present or the late Government with the responsibility would be obviously unfair. [An hon. MEMBER: What did the Cowper Commission say?] I will not argue whether the rents are unfair or not; but I will accept the assertion that they are. If the figures and facts which we have heard to-night are correct, of course these are unreasonable rents; but that the landlord is entitled to them by legal right is beyond all question. I listened attentively to the speech of the right hon. Member for Newcastle-upon-Tyne, but he did not drop one word to show that he thought Colonel O'Callaghan, whether his rents were unreasonable or not, was not entitled to them; and I, for one, do protest with all my might against the doctrine that when a man has a clear legal right which is carried to its ultimate result, and affirmed by a Court of Law, the Executive Government are entitled to go behind the contract. They cannot say to Shylock—"You are not entitled to the penalty of your bond." If the Government were to pick and choose, and say to this man—"You are Shylock, and we will not enforce the penalty of your bond," and to that man, "You are a moral and fair-minded man, and we will support you," they would be instituting a tyranny worse than any under which even Ireland has groaned. If that doctrine were to prevail, all law would become uncertain and all rents, and the Executive Government that should exercise any such dispensing power would be a curse.

MR. J. E. ELLIS (Nottingham, Rushcliffe): How about "the pressure within the law" of the late Chief Secretary (Sir Michael Hicks-Beach)?

MR. MATTHEWS: The right hon. Gentleman against whom that insinuation has been made has denied it over and over again.

MR. J. E. ELLIS: It was a quotation.

MR. MATTHEWS: I should have thought that the hon. Member would have borne in mind that when a calumny has been repudiated by the person against whom it was directed, it would be becoming not to repeat it. I hope the right hon. Member for Newcastle-upon-Tyne will permit me here to express the strongest dissent from the sentiment expressed in his speech, that the present Chief Secretary ought to have used such pressure as his Predecessor was erroneously supposed to have used. While admitting that we could not refuse to give effect to the decrees of the Courts of Law with reference to Colonel O'Callaghan's undoubted rights however tyrannical, however usurious, and however unfair his conduct was, the right hon. Gentleman says that we ought to have put some pressure upon him. I protest against that doctrine. It is no part of the duty or the right of the Executive to use pressure of that kind. It would be destructive of liberty, and of all that which we hold dear in our Constitution if the Government were to presume to put pressure upon individuals in the position of Colonel O'Callaghan, or upon the officials whose duty it is to execute the decrees of the Court of Law. [MR. JOHN MORLEY: General Buller.] If the right hon. Gentleman means that the present Under Secretary for Ireland has used pressure, all I can say is that the statement has been denied over and over again, and I regret that it should be repeated. All I can say is—and I do not shrink from the consequences of the principle I am laying down—that if the Under Secretary for Ireland did use pressure, he was wrong and ought to be checked. I hope that such a point as that will not be slurred over in a Constitutional House. If the Government should presume to look behind the law, and beyond the law, as long as there is a law upon the Statute Book, and to say that because an individual is acting harshly and unfairly, they will not assist him in enforcing his legal rights, the best liberties of the people of this country would be struck at most heavily. The Executive power would be usurping a right of option which the Constitution does not bestow upon it. We have not to consider whether the law is being used harshly or leniently. It does not rest with us to deprive a man of the rights which the law gives him because we dislike his conduct, his manner, or the colour of his hair. The discussion of Colonel O'Callaghan's conduct, his merits, or demerits, is beside the question in this debate. The Government had no right to refuse to perform the functions which it has been their duty to perform in connection with these unhappy evictions. Decrees having issued from the Courts of Law, when Colonel O'Callaghan called upon the Executive to assist the Courts to enforce those decrees, the Government were bound to comply with the request. I think the case against the police has completely broken down. Since this debate began there has been put into my hand a Report—the last but one received on this subject—which I should like to read. It is dated June 13, and is signed by Colonel Turner. This is what he says:—

"The police have behaved throughout with very great moderation and forbearance, which is quite remarkable, considering that one officer and 15 men have been disabled, and some seriously injured. In no case have they batoned the people unnecessarily."

[*Laughter from the Irish Members.*] I hear, as usual, that jeering laugh from some hon. Members below the Gangway, who seem to think that facts like these are proper matter for laughter and ridicule. I do not know whether they think it a good joke that one officer and 15 men have been disabled, and others seriously injured, but it is no laughing matter in the estimation of those who are responsible for the public peace in Ireland—"In no case have they batoned the people unnecessarily."

MR. ILLINGWORTH: Will the right hon. and learned Gentleman tell us whether this Report has any reference to the village of Feakle?

MR. MATTHEWS: This Report is dated Monday June 13, and therefore it is subsequent to the Feakle incident, which occurred on Sunday. The Report goes on to say—

"In no case have they batoned the people unnecessarily, and the use of the baton has, I am quite sure, saved the necessity of proceeding to extreme measures, which we have been very near to once or twice, and which must have resulted in loss of life."

That is the statement of Colonel Turner in regard to the conduct of the people.

That statement has been corroborated, as I say, by those English witnesses who were on the ground, and who have stated uniformly that the discretion, good feeling, and good conduct of the police have been marked throughout the unhappy scenes which have taken place. I am not sufficiently informed of the facts; but I repeat, Sir, that it may be that an individual policeman, or more than one, in the natural indignation caused by such facts as are stated in this Report of Colonel Turner that one officer and 15 men have been disabled may have trespassed beyond the bounds of what was right and proper. But that that should be made the groundwork of a debate lasting so many hours, and an attack upon the Executive Government, does seem to me entirely unreasonable and unnecessary. Colonel Turner is a man of discretion, and he appears to have acted in good faith and in good temper, and with good feeling. The same may be said of his subordinates generally. The groundwork of the attack having broken down, the real object of the debate is now confessed by the right hon. Member for Newcastle-upon-Tyne—namely, that it serves to enliven the extremely dreary debate on the Crimes Bill; and having succeeded in that object, I hope we may now be allowed to proceed with the proper Business of the Sitting.

SIR WILLIAM HARCOURT (Derby): I did not think it was possible for human ingenuity to have exceeded the Chief Secretary for Ireland in the art he has shown of damaging the cause which he rose to defend. Hereafter, I think, he must own the Home Secretary to be his superior, for a speech more injurious to the cause of peace in Ireland, or to the landlords of that country, whose cause he espouses, I venture to say, was never heard in this House. Now, as regards the police, I have only one thing to say. I think the Irish police have great reason to complain of the manner in which they have been treated by the Chief Secretary for Ireland. The right hon. Gentleman thought fit to appeal to me upon the subject; and certainly, for some years, I was responsible for the conduct of the police; but, indeed, when charges, just or unjust, were advanced against the police, I should have been ashamed to have got up in this House and say that I had not in my possession the information requisite to defend them. But what is it that now appears. The Chief Secretary for Ireland says—"How could Colonel Turner be expected to write reports every evening?" It was an exclamation of mine of astonishment at such an assertion that called forth the appeal to me from the Chief Secretary for Ireland. Why, it appears that at the very time Colonel Turner did write a Report he perfectly well knew what had been going on, and everything that a man in his position ought to know. What, then, becomes of the conscience of the Chief Secretary for Ireland, who could not call upon the commanding officer to make Reports every evening of what had taken place? Of course, I knew a man in the position of Colonel Turner must have written Reports. What happened is what always happens in these cases—namely, that the Chief Secretary for Ireland had not read them. It is always necessary for him to get somebody else to read his Papers, and to answer his Questions. Since dinner he has discovered that Colonel Turner, whom the conscience of the Chief Secretary for Ireland could not call upon to make Reports, had been making Reports all the time to the Home Secretary, and actually since this very Sunday, which is in question, upon the next day, he made a Report. As before dinner it is the right hon. and gallant Gentleman the Member for the Isle of Thanet (Colonel King-Harman) who has to answer Questions on Irish affairs, so after dinner the Home Secretary is put up to read the Reports of Colonel Turner, of the existence of which the Chief Secretary for Ireland had no knowledge.

MR. A. J. BALFOUR: I suppose the right hon. Gentleman was not in the House when I had to interrupt the right hon. Gentleman beside him on the very same point. What I stated was that Colonel Turner did communicate by telegraph, but that naturally he was not able in telegraphic desptaches to give details as to what this priest or that priest, this crowd or that crowd, might have done, and that therefore I was not able to give details as to what had occurred.

SIR WILLIAM HARCOURT: I am extremely surprised. I should have thought—my idea would be—that if I saw grave charges advanced——

MR. A. J. BALFOUR: Not advanced at the time.

SIR WILLIAM HARCOURT: Advanced, whether in newspapers or elsewhere, against the police, I should have felt it my duty immediately to make myself acquainted with the facts in order that I might defend the police. I make no charge against the Irish police. The charge I make is against the Irish Chief Secretary for not having placed himself in a proper position to defend the Irish police. In proceeding now to deal with the argument of the Home Secretary, I will endeavour to meet him with a personal civility he does not always extend to his opponents. [*Cries of* "Oh!"] The Home Secretary has stated that the question of the conduct of Colonel O'Callaghan has nothing to do with this matter, and that it is not the basis of this Motion. In my opinion it is the whole question, and it is because it is the whole question that I entirely concur with my right hon. Friend the Member for Newcastle-upon-Tyne (Mr. John Morley) in saying that it is directly germane to the Crimes Bill which has been so long under discussion. It is because I believe that the Crimes Bill has been introduced, and will be worked in the interests, and for the purposes of Colonel O'Callaghan and his class, that I think it is very well that the English people should understand the use to which this Bill is to be put. The Home Secretary said that the case of Colonel O'Callaghan is an exceptional instance. I wish I thought so. I am sorry to say — though I hope and believe and know that there are many favourable exceptions—that Colonel O'Callaghan is a specimen of Irish landlords. [*Cries of* "No, no!" "Certainly not."] I say that, Sir, not upon any opinion or judgment of my own; I say it upon the authority of Royal Commissions; I say that the assertion which I have now made is the kernel and marrow of the conclusions drawn from the evidence of the Devon Commission. What was the verdict of the Devon Commission? It was that the Irish landlords as a class had robbed, plundered, and confiscated all the improvements of the tenants. It is no exceptional case, but one that has been going on from generation to generation in Ireland. It has been a policy of the most cruel, the most unjust and the most remorseless character. Why was it done in Ireland when it was not done in England? Why, because the English Parliament has been willing to put English bayonets at the disposal of the Irish landlords, and because if the English landlords ever desired or attempted to do the same thing, we know very well that the English Parliament would not have put English bayonets at their disposal. Therefore, it is not an economic question, as the Home Secretary asserts, but a political question; and therefore I say that a system of plunder so exceptional, which has gone on from generation to generation in Ireland, which to every man who examined into it brought a sense of shame and indignation, was for the first time attempted to be dealt with by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) in 1870. Because he attempted to remedy this injustice, and to stay this system of plunder, we all know how he was assailed by hon. Gentlemen opposite with cries of confiscation, and how he was denounced. Did they lend us any aid to prevent this action on the part of the O'Callaghans of Ireland? Not at all. They were all on the side of the O'Callaghans. But that was not sufficient. So entirely impossible was it to trust Irish landlords to deal fairly by their tenants, that the Irish Land Bill of 1881 was passed, compelling them to do so, and preventing them from confiscating tenants' improvements, although much had been done before by the Act of 1870 which hon. Gentlemen opposite all opposed most bitterly. The Bill of 1881 was introduced to fix rents; and because it was found impossible to trust the Irish landlords not to evict unjustly, fixity of tenure to a certain extent was given. I say that the legislation of 1881 was justified not by economic conditions, but because in the opinion of Parliament it was necessary to legislate against the class which I say Colonel O'Callaghan is a specimen. That is the history of the legislation of 1881. You say—"You undertook to do it, why did you not do it?" I will tell you why. [*A laugh.*] I am sorry that it is so constantly necessary to call attention to these breaches of good manners on the part of hon. Gentlemen opposite, whose sibilant interruption, although embarrassing, has very little effect upon me. I will endeavour to explain why that

legislation failed. You fixed rent upon certain prices, and upon the assumption that those prices would generally rule during the period for which they were fixed. There happened a crisis in agriculture with an extraordinary fall of prices, and of course the settlement was disturbed by that fall in prices, and what under the legislation of 1881 was fixed as a fair rent in 1882, becomes an unfair rent in 1886 or 1887. Any fair landlord will recognize that, but the O'Callaghans of Ireland not a bit. You all admit that Colonel O'Callaghan does not. He stands upon the letter of his bond. [An hon. MEMBER: The 1881 bond.] Shylock, the Home Secretary calls him; it is a fine name, and I thank him for the word. They do not recognize the fact that rent has become unfair in consequence of the fall in prices. All this was perfectly notorious last autumn. We told you exactly what would happen —that the fall of prices had made the rents unfair, and that consequently the provision which Parliament had made against the injustice of Irish landlords would be inadequate, and that you ought to make provision for this. What was your answer? There were three answers which you made. In the first place, you said that prices had not fallen — you are ashamed of that now. Then you said —"Oh! the Irish landlords are such excellent men, that they are quite certain to do justice under the circumstances." Bodyke is the answer that they do that, and many another place. Then you told us that rents had not been fixed too high, but you would appoint a Commission to inquire — you appointed a Commission to inquire. That Commission has told you that the rents are a great deal too high in consequence of the fall in prices. That being the situation of things, and that having been the situation of things for the last 12 months, what do you do? You ask us why we charge you with Bodyke. I will tell you—it is because you ought, six months ago, to have made the transactions of Bodyke impossible. If you had listened, which you always refuse to do, to the Representatives of the Irish people who know something of Ireland, and at whom the Chief Secretary laughs, as he laughs now, the laugh of that sublime ignorance which he takes for the consummation of statesmanship, if you had condescended to listen to the Representatives of Ireland, they would have told you —in fact they did tell you—the exact state of affairs. They said that prices had fallen, consequently that judicial rents had become unfair, and that if you did not provide some remedy, unjust landlords would take advantage of that state of things, that there would be cruel scenes of injustice, and there would be public disturbance and public discontent. That is what you were told. You paid no attention to those representations. But what did you do? You brought in a Coercion Bill instead, and because that Bill was not swallowed—as Lord Salisbury thought that all Coercion Bills ought to be in 24 hours—you said, "Now we are free." You might have prevented Bodyke, and all such other scenes; you might have prevented the Plan of Campaign, and all this irregular action which injustice always produces when a legal remedy is not provided. You did not choose to do it. And then the Home Secretary comes forward and says—"Anybody who talks of forbidding a man to exercise the full extent of his legal rights ought to be denounced." He talks about the right hon. Gentleman the Member for West Bristol (Sir Michael Hicks-Beach), whose absence we all deplore, and says that the right hon. Gentleman repudiated the calumny that he put pressure on the londlords in order to induce them to deal justly by their tenants. I never saw a man calumniate himself. Why the right Gentleman himself took credit for having put pressure upon the landlords—the pressure of strong remonstrance to induce them not to bring great evils upon their country and their class. The Home Secretary said that the matter did not come within his Department, and therefore he had not taken the trouble to read the Blue Book. He never read Sir Redvers Buller's evidence! Sir Redvers Buller said that he went on a special mission to a particular landlord—that is Colonel O'Callaghan—to remonstrate with him, and induce him not to take extreme action. That is the action of the Government which the right hon. Gentleman denounces. That action I have never thought to be the very best action; but it was the second best. The best action the Government could have pursued, and ought to have pursued, would have been to provide

a real legal remedy against that injustice which the right hon. Gentleman was ready to denounce, but not to prevent. What answer is it to say that as long as the law is unjust we must enforce it? It is in your power, it is your duty, to reform it, and then you need not enforce an unjust law. The whole responsibility rests on you; because with full knowledge you have deliberately delayed any measure of reform. The Chief Secretary to the Lord Lieutenant says—"You are delaying the Land Bill." We know very well who are delaying the Land Bill. Why has the Land Bill been postponed week after week, month after month, in "another place"—a Bill nominally introduced for the protection of the tenants—in order that it may be mutilated and cut down to suit the interests of the Irish landlords. These are the persons who have delayed the Land Bill, and who, having delayed it as long as they pleased, have made it so worthless that it is not worth being passed. And that is my answer to what the Irish Chief Secretary has said upon the subject of the Land Bill. The object and use of this debate is to show, and it will show in a great degree to the English people, what is the present condition of the relations of landlord and tenant in Ireland. It will show this also that the relations of the English Government to the Irish Government enable the landlords in Ireland to do things which would not be tolerated for one moment in this country. I venture to say that I hope there are no O'Callaghans in England; but if there were, they would not be allowed to do what Colonel O'Callaghan has done in Ireland. All this abominable raising of rent, all this unjust confiscation of other men's property—all these things, which generations of Irish landlords, supported by the force of the English Government, have done must be put an end to. You have sought to put an end to the system by placing this Coercion Bill in the hands of Irish landlords. One of our great objections to the Coercion Bill is this—that when it is passed, the Irish landlords can say to the Home Secretary, and the Chief Secretary to the Lord Lieutenant—"You are bound to use all the powers of the law to carry out the rights of the landlords," and the rights of Colonel O'Callaghan will be put in force by the extraordinary powers of the Coercion Act. You will foist upon the Irish people, and upon this House, some remedy which I believe to be totally inadequate, and you have refused the remedy which your own Commission recommended. If you had taken the advice of your own Commission, the Bodyke evictions would never have happened. Every tenant of Bodyke would have had an appeal against even a judicial rent which was found to be too high, and which he could not pay, and not one of the evictions would have taken place.

LORD RANDOLPH CHURCHILL (Paddington, S.): The Act could not have been passed in time.

SIR WILLIAM HARCOURT: No; I dare say the noble Lord would have obstructed it. I venture to say if you had introduced such a Bill in January, it would not have been this side of the House which would have obstructed it. I dare say it would have taken quite as long in passing as the remedial measures of 1870 and 1881, or any other measure to remedy the condition of the Irish tenants, and many more days would have been spent over it than have been spent over the Crimes Bill. You refused, however, to prosecute a remedial measure; you forced on a Crimes Bill instead. The Predecessor of the Chief Secretary for Ireland did what he could to induce the landlords not to resort to cruel evictions last autumn and winter, and there was another authority perhaps still greater than the late Chief Secretary or the the present Under Secretary—Sir Redvers Buller, who did the same thing. The noble Lord the Member for Rossendale (the Marquess of Hartington), in a speech from this Bench, implored Irish landlords not to exercise their rights in the way in which Colonel O'Callaghan had exercised his. In consequence of this there was some prudence and moderation; but since the Coercion Bill has been before the House of Commons; since the Irish landlords knew that they were going to be armed with its powers; and above all, since the speech of the Home Secretary to-night, there is no O'Callaghan in Ireland who will not demand his pound of flesh and his extreme rights. The Home Secretary has told them—"However tyrannical your rents may be, however unjust you may be,

here we are; we are your men; we have got a Coercion Bill; go on, do as you please." Things have changed since the modest policy of the right hon. Gentleman the Member for West Bristol and the resolute policy of 20 years. I never heard language more provocative, more calculated to induce men to exercise harshly unjust rights than that used by the Home Secretary. In my opinion it is most unwise and injudicious and intemperate language, and it is likely to produce, I think, very evil effects. I do not say that the Government are not placed in a position of great difficulty and great responsibility when they are called upon to execute the law in respect to cases which their moral sense tells them are unjust. The Chief Secretary for Ireland, in a tone much more befitting the occasion than that adopted by the Home Secretary, spoke with a true sense of the seriousness of the case, instead of jeering at the widow Nugent. The heartlessness of the right hon. Gentleman the Home Secretary in dealing with questions of this kind finds little response in this House, and will find still less in the country. The right hon. Gentleman the Chief Secretary said—and I believe him—that if his advice had been taken, or if he had been in the place of Colonel O'Callaghan these evictions would never have taken place. If the situation be so difficult, in my opinion, the responsibility of the Government is greater, because, having the power to apply a remedy by putting in the front remedial legislation, they have not adopted that course. It is because they have placed their remedial measures in the background and their Coercion Bill to encourage the landlords to pursue a course of wrong and injustice in the front that I, for one, think they ought to be condemned, and it is of the greatest advantage that the circumstances of the Bodyke evictions should have been brought under the notice of the House and of the English people.

LORD RANDOLPH CHURCHILL (Paddington, S.): It appears to me, and I hope to speak without prejudice on the matter, that the right hon. Gentleman who has just sat down (Sir William Harcourt) has endeavoured to introduce into the debate the ineffective tumultuousness which has characterized the locality which has been brought under our notice to-night. The right hon. Gentleman, I think, has fairly outdone himself. The right hon. Gentleman has shown great carelessness. Let us examine some of the doctrines by which the right hon. Gentleman has endeavoured to mislead the House. I will only give one example. He said that if the Government had legislated in January in accordance with the Report of the Cowper Commission, they might have introduced a remedial measure, and all this trouble would have been avoided.

SIR WILLIAM HARCOURT: I beg pardon——

LORD RANDOLPH CHURCHILL (declining to give way): Will the right hon. Gentleman forgive me for the moment? [*Cries of* "Order!"]

MR. T. P. O'CONNOR (Liverpool, Scotland): I rise to Order. I wish to ask whether, when a statement is made with regard to a speech which an hon. Member who makes it regards as incorrect, that hon. Member has not a right to get up and contradict the statement at once?

MR. SPEAKER: That is not the Rule of the House. The Rule is, that if the hon. Member in possession of the House does not give way another hon. Member has no right to interpose and address the House.

MR. T. P. O'CONNOR: I wish to ask you, Sir, whether it is not almost the invariable practice of the House to permit an hon. Member to make an explanation?

MR. SPEAKER: That is not a matter for me to decide.

LORD RANDOLPH CHURCHILL: I can assure the hon. Member for the Scotland Division of Liverpool that if he will try to compose himself——

MR. T. P. O'CONNOR: I am perfectly composed.

LORD RANDOLPH CHURCHILL: That being so, I will assure him that it often happens that when my remarks in this House have been profoundly misrepresented by the right hon. Gentleman opposite, he has time upon time refused to give way to me. [SIR WILLIAM HARCOURT: Never.] However, I am not going to misrepresent him. The right hon. Gentleman said—and I am in the recollection of the whole House—that if the Government had introduced in January remedial legislation in accordance with the recommendation of the Cowper Commission——

SIR WILLIAM HARCOURT: I am sure the noble Lord will not refuse me the ordinary courtesy which is always given to a Member of this House, of making an explanation. He was slightly inaccurate. I said that if you had introduced your legislation in January—I did not say in accordance with the Report of the Cowper Commission. [*Cries of* "Oh, oh!"] Again I repeat that I did not say that. I said, first of all you ought to have introduced remedial legislation last autumn, and that you ought to have introduced it at the beginning of this Session; and if you had so introduced it you might have prevented these things.

LORD RANDOLPH CHURCHILL: I do not wish to pursue the matter. At the same time, the right hon. Gentleman was supposed to have insisted upon the Government dealing with the Report of the Cowper Commission in January, when the evidence was not in their hands, and they could scarcely have studied it until a considerable portion of March was passed. Does he mean to say that a serious measure, dealing with the Irish land, could have been passed in time to prevent these troubles? No legislation introduced on the Report of the Cowper Commission, and dealing with the Irish Land Question, would have had any chance in passing through the House in time to prevent these things. The right hon. Gentleman waxes warm in his denunciation of the Irish Government. He said that the cause of all these debates and difficulties in the House of Commons was that the Government have placed at the disposal of the Irish landlords English bayonets. And the right hon. Gentleman cheered loudly the other day when the right hon. Gentleman the Lord Advocate (Mr. J. H. A. Macdonald) read out the large reductions of rent which had been made on the crofter estates in the West of Scotland. Did he, or did he not, place English bayonets at the disposal of the landlords of the crofters? Did he, or did he not, plume himself in this House—and I believe the crest of the Harcourt family is a peacock—on the energy and great vigour with which he had enforced the law against the crofters? Having taken this action less than four years ago, what right has he to come forward and denounce the Government for taking precisely the same action in support of the law in Ireland which he himself was so proud of having taken in support of the law in Scotland? Raising his hand, and shaking his finger at the right hon. Gentlemen the Home Secretary and the Chief Secretary, the right hon. Gentleman said that trouble might have been avoided and the time of Parliament might have been saved, if only the Government had listened to the voice of the Irish Representatives. Since when has he listened to the opinions of the Irish Members? I have sat there (pointing to the corner seat below the Gangway on the Opposition side) and I have supported the views of Irish Members—[*Cries of* "Oh, oh!"]—hon. Members know it. Certainly, on many questions of Irish Executive government I have supported them; and I have listened night after night to the right hon. Gentleman standing at the Table and denouncing Irish opinion as a thing no honest and sane man would attend to. Yet, in spite of the recent past of the right hon. Gentleman, he stands up here to denounce the Government for pursuing conduct precisely similar to that which he pursued himself a short time ago. I should like to address a few words to the Irish Members if they will allow me to do so, because I consider it far more important to argue the matter out with them than with the right hon. Gentleman (Sir William Harcourt). I am not altogether without hope that it may be possible for me to convince the Irish Members, although they may not acknowledge it publicly in this House, that they have acted with some injustice towards the Government in this matter. They have attacked the Government with some vigour for having supported Colonel O'Callaghan — supported the execution of the law on Colonel O'Callaghan's estate—and they are of opinion that the police and the magistracy and the military have acted with vigour which amounts to brutality or something of that kind. Well, now, I will ask a question to which I am perfectly certain I shall receive an unanimous No. I ask hon. Members below the Gangway opposite if they have read *The Times* of this morning?—because, if they have read *The Times* of this morning, and I cannot think they have, they will have learned that there is a strong and vigorous denunciation of the Govern-

ment, of the police, of the magistracy, and of the military for not having acted with sufficient brutality, and that denunciation comes from the pen of the old friend of the Members below the Gangway—namely, Mr. Clifford Lloyd. Even they might take that as a set-off against the iniquity of the conduct of the Government, and they might imagine that the conduct, which is denounced by Mr. Clifford Lloyd as not having been sufficiently vigorous, did not err on the side of vigour. I do not suppose that Irish Members read the debates of the House of Lords; but it may have come under their notice that the conduct of the Government with respect to these evictions was denounced—no, that is too strong a word to use—was criticized in an amiable but still in a decided manner by the mildest-mannered man who adorns that assembly without any exception—Lord Carnarvon. Lord Carnarvon is, I think, the idol of the Irishman, because, as Lord Lieutenant, he was supposed to have adopted in all their intensity Nationalist opinions, and he is supposed to have set an admirable example to the Tory Party which the Tory Party did not follow. But, at any rate, he is held up by friends and foes alike as the very milk of human kindness. Now, Lord Carnarvon made a long and detailed speech in the House of Lords the other night to prove that the Government have not acted in regard to these Bodyke evictions with sufficient vigour. I appeal to the hon. Gentleman the Member for East Mayo (Mr. Dillon), whether I could call two more competent witnesses to prove that the Irish Government have not, at any rate, erred on the side of vigour, than Mr. Clifford Lloyd and Lord Carnarvon? Would it be possible? [A pause.] I observe that, at any rate, the Irish Members are not disposed to treat these two witnesses with contempt.

MR. DILLON (Mayo, E.): We are giving you a fair hearing.

LORD RANDOLPH CHURCHILL: I am much obliged to the hon. Member. I am endeavouring to argue the matter from what may be called the Nationalist point of view. I should like to ask the hon. Gentleman the Member for East Mayo what could the Government have done in this case? I am assuming that no legislation on the Land Question can be passed this Session, that these evictions come on and have to be carried out. What would the hon. Member for East Mayo himself do, if an Irish Parliament had been sitting and an Irish Executive was in Office? Would he or would he not protect the Sheriff in enforcing the Law of Contract? It comes to nothing but that, nothing whatever. The hon. Gentleman the Member for East Mayo knows perfectly well that if he formed part of an Irish Administration, responsible to an Irish Parliament, it would no more be in his power to discriminate between the kinds of contracts he would enforce than it is in the power of the present Government. Not at all. You may, if you like—if the Government think that the law which permits certain contracts is unjust—you may alter that law; but the alteration of a law is not like a flash of lightning, the work of a moment; it must be a work of time, and during that time are you, or are you not, going to enforce the Law of Contract? That is the exact position. I will quote a statement which the hon. Gentleman the Member for East Mayo himself will respect, for this is not an opinion on points of controversy, but goes to the very ethics of Executive government. It is an opinion of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), which is contained in an answer to a Question put to him on the 28th of April, 1882—

"MR. BIGGAR asked the First Lord of the Treasury, Whether the Government are prepared, pending the introduction of their measure regarding arrears, to discourage evictions in Ireland by withdrawing all support to assist landlords in executing eviction decrees?

"MR. W. E. GLADSTONE: Sir, without entering into the very important subject of evictions in Ireland, to which the hon. Gentleman refers, I must frankly own that I think that the measure which he suggests and indicates, that the Government shall discourage evictions by withdrawing support to assist landlords in them, is a matter beyond the discretion of the Executive Government. It is our public duty to assist the execution of the law, not always taking into view our own opinion of the reasonableness of what may be intended, and we have no title to adopt the measure which the hon. Member suggests."—(3 *Hansard*, [268] 1677.)

Now, that is an answer to a Question on what I call the ethics of Executive government. With regard to these matters, I am quite certain that neither the hon. Member for East Mayo, nor any of those who sit around him who are capable of giving an opinion on the

subject, will gravely argue that it is within the power of the Government to, at any moment whatever, refuse to carry out the law in respect to contracts which have been entered into. Alter the law, modify contracts; but until the law is altered your Executive has absolutely no choice. This is a mere truism, which seems to have been altogether forgotten by hon. Gentlemen opposite in the excitement of debate. Now, suppose a particular landlord chooses to recover his rents, and suppose he gets power to recover his rents under the action of a Court of Law—to recover either the rent of his land or to recover his land—and the Sheriff comes in to assist him, it is perfectly well known that the Sheriff is always very unpopular in his district, and that he is subjected to popular resistance. Does the hon. Member for East Mayo gravely argue that it is the duty of the Government to allow the Sheriff to be met by popular resistance, oftentimes maltreated, and, perhaps, in the excitement of the time, murdered? Is it the duty of the Government to let him go unprotected, and if the Sheriff is to be protected, is he to be efficiently protected or inefficiently protected? If he is to be efficiently protected, he should have a large force of police backed by a large force of military. Now, could the Government have done anything else at Bodyke than they did? There was a great tumult at Bodyke; there was a large gathering of excited people on the one hand, and a great force of police and military on the other, and very painful scenes had to be gone through capable of exciting feelings to an almost unparalleled degree. Now, what has struck me most forcibly is this—that though you had there a serried force of military and police undergoing every temptation to use their power, though you had a great popular force trying all they knew, not only to resist the military and police, but to put them in a ridiculous position, and not only that, but even at times to put them in a dangerous position—what has struck me as most remarkable is, that though you had a large armed force on one side, and an unarmed excited force on the other, there has not been, so far as I know, any loss of life. There has been no case even of serious injury.

Mr. M. J. KENNY (Tyrone, Mid): There is one man whose life is despaired of.

Lord RANDOLPH CHURCHILL: How many people were present taking part in the conflict on the one side or the other; were there not thousands; was it not a conflict which excited the whole country side?

Mr. COX (Clare, E.): There was never from the beginning to the end of the evictions an actual conflict between the police and the people until last Sunday.

Lord RANDOLPH CHURCHILL: I have read most extraordinary statements in newspapers devoted to the interests of the Nationalist Party, and I have heard of frightful battles which went on day after day accompanied by the grossest brutality on the part of the police and the military towards the people; but now it is in debate denied that there has been any conflict. What becomes of the indictment against the action of the Government?

Mr. COX: The noble Lord misunderstands me. What I meant to convey was, that the only occasion on which the people retorted on the police was at Feakle. There were several other occasions on which the police acted brutally.

Lord RANDOLPH CHURCHILL: I will not argue the point any more with the hon. Gentleman, because it seems to me that one form of argument which suits him at one time does not suit him at another. Now, it is a matter of wonder to me that the loss of life and serious injury to persons were not very much greater than they have been. I have read many accounts of the affair from both sides, and I must say that, in my opinion, the magistrates and the police have shown a most remarkable forbearance. You have had, as I have said, thousands of persons on the one side and the other gathered together, you have had a state of great excitement, there has been an armed force and a more or less armed force, and as far as I know no actual loss of life and hardly any serious injury. If that be true, if the conduct of the Government has really only been to support the law, in doing which they had no option whatever, and if the result of that conduct has been such as I have described, I put it to hon. Gentleman in all candour and in all honesty is there anything in that to justify the interruption by this Motion of the whole of the Proceedings of Parliament and the waste of the whole of a valuable night. I do not wish to

take up the time of the House any longer excepting for one purpose. I doubt greatly whether Colonel O'Callaghan has received a just measure of treatment. [*Cries of* "Oh, oh!"] I do not expect that Colonel O'Callaghan will receive any encomiums or even any kindness from hon. Gentlemen opposite; if the Angel Gabriel were an Irish landlord he would not be a favourite with hon. Gentlemen below the Gangway opposite. Now, I own that, having nothing but approval to express of the conduct of the Irish officials in regard to the Bodyke evictions, I was a little startled by some expressions which fell from the Front Bench to-night. The right hon. Gentleman the Home Secretary (Mr. Matthews) declared in a most positive manner that the Government were not entitled to examine in any way the conduct of this landlord, and yet shortly before he expressed an opinion that the circumstances of these evictions were entirely exceptional. And, more than that, the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour), in concluding his speech upon this Motion, and after summing up all the pros and cons in regard to Colonel O'Callaghan, said—"It was on these grounds I determined to support Colonel O'Callaghan in these evictions." I should like to ask my right hon. Friend on what ground he would have had any right to refuse the support of the Government to Colonel O'Callaghan. [Mr. A. J. BALFOUR dissented.] I do not wish to misrepresent the right hon. Gentleman. I remember my right hon. Friend the Member for West Bristol (Sir Michael Hicks-Beach) getting into some difficulty because he was supposed to have used his personal influence with Irish landlords, a personal influence gained by three years' highly creditable administration of Ireland. It was well known he used his personal influence, and I believe he used it legitimately and wisely; but that was personal influence exercised through private channels. Certainly it does seem to me an altogether mistaken idea of the precedent set by the right hon. Baronet the late Chief Secretary (Sir Michael Hicks-Beach) that this House should pronounce whether circumstances are entirely exceptional, and that the Chief Secretary, after balancing the pros and cons, should say on the whole I have determined to support Colonel O'Callaghan.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I think my noble Friend has misunderstood me. The sentence in which I said I had resolved to support Colonel O'Callaghan came after a general discussion of the principles upon which the Government must support the law.

LORD RANDOLPH CHURCHILL: I apologize to the right hon. Gentleman if I have at all misrepresented him, but I own my impression of his speech was enforced upon me by the speech of the right hon. Gentleman the Home Secretary. It is not the business of the Government to decide whether Colonel O'Callaghan is a good or bad landlord. The business of the Government is to decide whether the land Laws in Ireland are harsh or just, and if they think they are harsh, to try and improve them. That it is the business of the Government to apologize for the state of things, to apologize for having supported by force the action of the Sheriff in executing the rights of Colonel O'Callaghan, that, I say, is a dangerous, and an absolutely dangerous Constitutional doctrine, and it is one of which we have heard too much to-night. It is one I often used to argue about in a perfectly friendly manner with the right hon. Gentleman the Member for West Bristol, and it is one I must protest against when urged on either one side or the other. Amend the law if you wish, but you have no right to stand up in the House of Commons and say what we have heard from my hon. Friends. What do the right hon. Gentleman the Home Secretary and the Chief Secretary for Ireland know about Colonel O'Callaghan? Have they ever seen him; have they ever heard his side of the case; have they studied the management of his property; are they entitled in any way whatever by any action or words of theirs to suggest to the House of Commons that Colonel O'Callaghan is not a proper and just landlord? I say they have not. Well, now, what is the case of Colonel O'Callaghan? I happen to know something about him. I recollect that at the time of the Irish famine of 1879, when the relief fund was being distributed all over Ireland through

local boards and local Committees, Bodyke was a district much affected by scarcity, and the head of the local committee in Bodyke was Colonel O'Callaghan. Hon. Gentlemen below the Gangway opposite will admit that a great deal of money was distributed at that time in the distressed districts of Ireland. I do not think they can deny, if they do I am certain they will not be altogether justified, that the relief distributed in Bodyke not only by the Mansion House, but by the Castle Fund, was effectual relief. More than this I can say—I am certain I am right—that during the crisis of 1879, and during the disturbances that followed, Colonel O'Callaghan had no serious differences with his tenants. [*Cries of* "Oh, oh!"] I do not want to prejudge the case in his favour—all I do is to object to its being prejudged against him. I maintain that at that time he had no serious differences with his tenants. I can quite understand the censure which is passed upon evictions on the Clanricarde estate. Lord Clanricarde is a landlord who has not been in Ireland for years, and who has never made the interest of his estate either his first or his second object. That is so undoubtedly, but even then I deny the right of the Government not to allow him to enforce his rights. But Colonel O'Callaghan's is a different case. He has been resident on his estate for years, he has lived on his estate through the troubled times, and that is no joke. He may have made errors in one direction or the other, but, at any rate, he has tried to carry on his estate through the hard times.

Mr. DILLON: He pocketed the tenants rents.

Lord RANDOLPH CHURCHILL: That the man has had his rents lowered in the Courts there is not the least doubt, but that is not to be taken as a reason for holding him up as a criminal. I protest against any insinuation against Colonel O'Callaghan coming from the Executive. I say they have no knowledge that he is an unjust landlord, and that even if he were an unjust landlord it is their business to protect the individual. I believe generally the attack on Colonel O'Callaghan is not well founded—that even if there is room for any attack upon him the attack has been grossly exaggerated. I believe myself that the conduct of Colonel O'Callaghan, so far from being deserving of the censure of the House of Commons, so far from being entitled to form the subject of a long debate, which interrupts the regular proceedings of the House of Commons, would, if carefully inspected and examined and judicially balanced, yield quite as good a result as would an inspection of the conduct of any other landlord in Ireland.

Mr. MAHONY (Meath, N.): The noble Lord the Member for South Paddington (Lord Randolph Churchill) has given us a history of Colonel O'Callaghan's estate in 1879, but I think the noble Lord has fallen into error. I am informed that it was not Colonel O'Callaghan who acted on the Relief Committee, but Captain O'Callaghan, who is also a landlord in the neighbourhood of Bodyke, but, I am happy to say, a landlord of a very different type. This Captain O'Callaghan is, in fact, the landlord who, according to the statement of the correspondent of *The Pall Mall Gazette*, strongly urged his cousin, Colonel O'Callaghan, to accept the tenants' offer. There is another point in the noble Lord's speech to which I wish to allude. He said there was no real proof before the House of Colonel O'Callaghan's dealings with his tenants. The noble Lord must have been absent from the House this evening when an hon. Member produced the Report on the judicial rents fixed by the Irish Land Commission. In the Report for the year 1882 there is a history of Colonel O'Callaghan's estate to this extent—that all the changes of rent which were sworn to in the Land Court were given in the column of observations. The noble Lord can examine them for himself. That, I contend, Sir, is a proof behind which none of us can go. There is the evidence sworn to in the Land Court that Colonel O'Callaghan from time to time raised his rents in the most oppressive and most exacting manner. It has been said that Colonel O'Callaghan's case is an exceptional one in Ireland. Well, I acted on the Land Commission for some time myself, and it so happens that about the same time that the Clare Commission was examining into Colonel O'Callaghan's relations with his tenants, I was engaged in examining into the relations of Colonel Deanman with his tenants in Tyrone, and the relations of Colonel Deanman with his tenants will be found, I believe, to have been very similar to those of

Colonel O'Callaghan with his tenants in County Clare. The noble Lord says the Government cannot be blamed for their action at Bodyke, because they were simply carrying out the law. But, Sir, it appears to me that the fact that they were only carrying out the law at Bodyke is the serious difficulty of this whole matter. It is the circumstances of the whole case that make this debate as it has been very properly called a very germane debate to the Coercion Bill. Hon. Members opposite have no objection to increasing the powers of the landlords in Ireland to oppress their tenants, they have no objection to take from the tenants, if they possibly can, the little power which they at present possess to protect themselves by combination, and that in the face of the fact which has been brought before the House this evening that there are men in Ireland who are ready and willing to exact to the uttermost their pound of flesh. Even a right hon. Gentleman sitting on the Government Bench is not ashamed to get up in this House, and say that, for all he cares, the landlords may have their tenants' blood as well. That I take to be the meaning of the words of the right hon. Gentleman the Home Secretary (Mr. Matthews). The right hon. Gentleman said that Colonel O'Callaghan was entitled to his pound of flesh. If the right hon. Gentleman had been the Judge in the case of the Jew, I presume he would have had no objection to the Jew taking blood as well. It has been said that in this case the judicial rents are exceedingly high, and an English Member who has spoken has alluded to the fact that many of the tenants at Bodyke are ready to depose that when Mr. Reeves was giving judgment, he said that they would have reduced the rents to a larger extent only for the fact that the property was heavily mortgaged. I had an opportunity of going over some of these farms. I know something about judicial rents in Ireland, and I am bound to say I never came across cases where the rent appeared to be fixed at such a high standard. It appears there must be something like what the tenants allege to account for the excessive rates at which these rents were fixed. But the Chief Secretary for Ireland (Mr. A. J. Balfour), in his speech to-night, has made one of the most extraordinary statements I have ever heard made in this House—a statement which shows such an utter and absolute ignorance of the position of the tenant farmers of Ireland that it is perfectly appalling that it should come from the right hon. Gentleman, who is, in fact, the Chief Governor of Ireland at the present moment. The right hon. Gentleman stated that, according to the Report of the Royal Commission, the judicial rents of Ireland, in consequence of the fall in prices, ought to be reduced about 10 or 14 per cent below what they were fixed at in 1882. Now, the Report of the Royal Commission says nothing of the kind. What the Report of the Royal Commission says is this—

"The Sub-Commissioners, recognising the depreciation, begun towards the end of 1885, to reduce the rents then being judicially fixed by from 10 to 14 per cent below the scale of reduction in the four previous years."

That is a very different statement; they did not state that that is what ought to be done. Turning to the evidence given before the Commission, I find that the gentleman who fixed the rents said—

"They were not quite so much from September, 1885; but from the beginning of this year I think the reduction would be from 10 to 14 per cent more than they were up to that time."

But he explained the mode on which these rents were fixed further on, and I ask the attention of the Committee to this matter. He was asked—"Did you take in any considerable period when you were considering your valuation in the year 1882?" and he said—"Yes. Say a period of 12 or 14 years back." Now, what did it mean when the Commissioners said they went back 12 or 14 years? It meant that they went over a period during which there was not a single bad year. Prices were exceedingly high during that time. Then came the two bad years, and those two bad years were nothing as compared with what we have now. I say it perfectly astounded me when I read that in fixing the rents in 1882, they had taken into consideration the previous period of 14 years. The witness was asked—"Do you proceed on the same principle still?" and the answer was—"We proceed still on the same principle, including the last two or three years as factors in fixing the rents." That means that the only effect which they have produced has been this, that they have

taken in their average the last two years; they have given these two years their place in the average. Now, that might be all very well. I do not say it is; but it might be justified, to some extent, if the tenants had been paying these rents all through the good years, and it had been possible to save a little in order to make the average pay in the bad years. But what was the case? The tenants, during these two years, had, so to speak, their vitals dragged out of them to pay their rents with the assistance that came from their children in America. The right hon. Gentleman said that Colonel O'Callaghan maintained his good relations with his tenants during 1878 - 81. Colonel O'Callaghan did nothing of the kind. When these years came, the tenants were unable to pay their rents; they fell into arrears, and the consequence of that was what is known as the battle of the Bodyke. You had the police and the peasantry firing at one another, and you had the scenes which would have been re-enacted the other day but for the action of the priests. Although the fall in prices amounted to 18 or 20 per cent, it is said that the price of produce since then only justified a reduction of 10 or 14 per cent. Now, a more monstrous statement could not possibly be made. So far from the fall in prices only justifying that reduction, I think I shall be able to show the Committee that it would have justified a reduction of 40 or 50 per cent. Supposing the gross produce of a farm to be worth £500; it costs about £300 to produce that sum; that leaves £200 to be divided between the landlord and the tenant; but if prices fall 20 per cent the gross profits on the farm will only be worth £400, while the cost of production will remain the same. Therefore, instead of leaving £200 to be divided between the landlord and the tenant, there will be only £100 or thereabouts. I do not pledge myself to the accuracy of these figures, but I want to bring before the mind of the Committee the very serious effect upon the farmers of a fall of 20 per cent. That has been brought out clearly in the second report issued by Mr. Knight. Now, I wish to say a word or two about the offers which the tenants made to Colonel O'Callaghan and which were refused. The tenants who combined together for their own protection owed two years' rent. I am perfectly aware that some few of them owed more, but I think everyone will admit that it is perfectly futile for any landlord to endeavour to recover more than two years' rent, and the Government think so, because they have provided for that in the Bill which some day or another is coming here from "another place"—they propose to make it impossible for the landlords to recover more than two years' rent. Of the two years' rent, the offer on their behalf made by the parish priests was to pay something more than a year's rent provided they got a receipt for a year-and-a-half's rent. I think they made too good an offer, and the fact remains that they could not have done that but for the generosity of an Englishman who gave £300 to help them. Now, reference has been made in this House to-night to a speech delivered at Bodyke by a very well-known Irishman. I am not going to defend or criticize that speech, because the Gentleman who made it is very well able to defend it himself, but I ask the Committee to consider the circumstances under which that speech was made. If hon. Members of this House could have seen as I saw the manner in which that brutal crew of bailiffs proceeded to their work, they would be better able to realize the enormity of these proceedings. The bailiffs tore the tenants' furniture out of the houses and they smashed it into little bits. One of these cowards was vile enough to hit a girl with his clenched fist on the breast, and the correspondent of *The Pall Mall Gazette*, an Englishman, rushed forward and struck the blackguard a blow, which I think is very much to his credit although unfortunately it did not do him any harm. Constables armed with rifles with fixed bayonets were to be seen dragging little children out of the breaches made in the walls, and taking them crying from their mothers. How are we to know that the Sheriff had any right to enter these houses? He refused to show his authority; he had only been appointed a day or two before. Right hon. Gentlemen appear to be very much amused by that question, but it is not quite so unnecessary to ask a deputy Sheriff to show his authority, because, when a deputy Sheriff took possession of the houses at Glenbeigh, 20 men were arrested for interfering with him, and when they were brought up and

tried by two Resident Magistrates, it was found on the deputy Sheriff being required to produce his authority that he had no proper authority and the men were found to be perfectly justified in preventing him entering the houses, and were then discharged. I ask how we are to know that the Sheriff had a proper authority at Bodyke? He was appointed in a hurry, and I think it very doubtful whether he had any authority. In connection with this case, reference has been made to other evictions in Ireland. Evictions are taking place on Lord Sligo's property, in the very place where at this time last year a Commission was at work under a Liberal Government for the express purpose of saving the people from starvation by opening relief works. I was on that Commission; I remember the district he has rendered desolate; in the middle of it there is a lowly village where we had to open relief works to save the people from starvation. They were dying from want of work, and yet for miles and miles around the eye rested on nothing but a country clear of inhabitants, a country going back to a state of nature for want of man's labour. Can there be a picture of greater desolation than that? Then there are evictions going on in Esturk Island, where Mr. Tuke had to feed the people last spring, and supply them with seed potatoes to keep them going through the summer; and there are other evictions going on at Kilreagh, one of the worst districts in Ireland. We are told that the Bill of the hon. Member for Cork (Mr. Parnell) of last year would not have saved the people at Bodyke; but I cannot understand that anyone can make such an allegation as that. His Bill provided that evictions were to be suspended upon inquiry by the Court provided the tenants paid 50 per cent of their rent. But the Bodyke tenants have paid far more than that, and I say that they would have been saved by the hon. Member's Bill, no matter how it erred on the side of moderation. The noble Lord the Member for South Paddington (Lord Randolph Churchill) says that the Government are not to blame for not having brought in remedial legislation early this Session. But do the Government mean to say that if they had brought in a genuine Bill for the relief of the Irish tenants, even in the month of March, we should not have made sufficient progress with it by this time to convince them that they might look for relief within a reasonable period? And do hon. Members opposite think that if the tenants could have looked forward for relief within a reasonable period they would not have submitted quietly to eviction, and relied on their six months' right of redemption, of which the present Government is doing its best to deprive them? And then we are coolly told we are preventing the Government introducing their remedial measures! All I can say about them is that if they are going to remain in their present state I hope to Heaven we shall prevent the Government introducing them, for they will do far more harm than good, and, as they have been described by Lord Fitzgerald—who, I believe, is a supporter of the present Government—they are a mere sham. I never expected that we should make any impression on the present Government. Where we do hope to make an impression is in the country, and I am bound to say that I had some small hope that there might be some generous opponents on this side of the House, who, although supporters of the present Government, would have been touched by the picture of what we are endeavouring to support in Ireland. I do not know whether there will be or not; but I feel perfectly convinced that the Bodyke evictions will make a telling picture for us to lay before the people of England. I was present at a meeting on the subject last night, and there an English working man, who evidently, by his dress, could not afford it handed me half-a-sovereign which he asked me to send to the parish priest at Bodyke. That is the way these things affect men in his position. The position is different from what it was months ago; we have found the ear of the English people who will listen to us if you do not. Yes; they are coming in crowds to listen to us even though your Benches may be emptied as soon as we begin to talk.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I rise with some trepidation to speak on this question; but I may, perhaps, be allowed to speak until the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) returns; and when he does return I have no doubt he will take steps to put an end to this debate. I understand that

next week will be an abnormal week, as no Irish Bill is to be discussed in this House—a thing which has not happened for a generation. I have listened to this debate, and I think the best speech on that side was certainly that delivered by the noble Lord the Member for South Paddington (Lord Randolph Churchill), which I think must have made his Colleagues feel the loss they have sustained by his ceasing to be a Member of the Government. I think that his argument was sound so far as I understood it. He said—"These evictions may be very abominable, atrocious, and inhumane; but they are the law, and it is the duty of the Executive to carry out the law." When he said that I said to myself—"I do not know how I can answer that argument of the noble Lord." The only valid answer is that you ought immediately to alter the law. A law that is so bad as to lead to such consequences must be a bad law, and it is the fault of the Government if they do not take steps immediately to remedy that law instead of bringing in their Coercion Bill. As to the speech of the Home Secretary, it seemed to me that he was a great supporter and advocate of the law, but that he did not care much about justice. In my humble opinion, when the law is opposed to justice, then is the time to alter the law. But what a speech the right hon. and learned Member made! It was the most energetic, extreme, and vehement of any speech of any one now sitting on that side, or who used to sit on that side. Why, not so very many years ago the right hon. and learned Gentleman was one of the Leaders of the Home Rule Party. When I I hear him now, converted to his new frame of mind, it reminds me of what Sheridan said of the Highlander when he saw him in a large pair of trousers—"A convert is always enthusiastic." I think the hon. Member who introduced this discussion has only done his duty as an Irishman, and I think that the hon. and learned Gentleman the Member for the Brigg Division of Lincolnshire (Mr. Waddy) did his duty too. His speech was most instructive and most impressive, and showed conclusively how desirable it is that Englishmen should go over to Ireland and find out what is really going on in that country for themselves. The Leader of the House went over to Ireland once, but he was only there 24 hours. He went on a voyage of discovery—the modern Columbus I call him. He discovered Ireland; he came back and told the Government; his statement was accepted, and the consequence was that the Government changed their policy. Well, the country is learning much more about Ireland through the visits made to that country by the English Members who have spoken to-night, and others like them. This House is learning, and the country is learning, the state of things that prevails in Ireland, and the policy that is being adopted in that country. They are learning—this House is learning—that the Coercion Bill over which it has been working for so many months is nothing more than a Bill to obtain power from the landlords to screw impossible rents out of their tenants. That is what your Coercion Bill is for—to support such national scourges as this Colonel O'Callaghan, who has been described here to-night, and described not only by Irishmen below me, but by a respectable and honourable Member, the Member for South Tyrone (Mr. T. W. Russell), who has got tired of bringing forward outrages committed by the people in this House, and I am happy to say has now turned his attention to describing the outrages the landlords inflict on the people. That is a much better business than the one he used to be in. He used to remind me, when he came forward with his outrages, of the story of the little girl who, when asked what business her father was in, said—"Oh! he is dreadful accident-maker to *The Daily Telegraph*." The hon. Member used to be dreadful-outrage maker to *The Times*, and I congratulate him on having taken a better course, which I hope he will stick to. An argument used on the other side is that the case of Colonel O'Callaghan is altogether an exceptional one. Everyone has thrown over Colonel O'Callaghan except the noble Lord (Lord Randolph Churchill), and he was quite wrong—he did not know who he was. Everyone, I say, has thrown over Colonel O'Callaghan, but the argument is that he is an exceptional man. Well, the right hon. Gentleman the Member for Derby (Sir William Harcourt) says that he is not a bit exceptional, and I have no doubt the right hon. Gentleman is right, for he has given great attention to these

Irish matters. The hon. Member for York (Mr. A. E. Pease) has been over to Ireland lately, and has been studying this matter, and so far from the case of Colonel O'Callaghan being exceptional, he says that evictions have been, and are, taking place in many parts of Ireland—that amongst other cases, one Irish nobleman has evicted 68 tenants, and that another (Lord Lucan) has evicted 160. How, then, can the case of Colonel O'Callaghan be described as exceptional? Why, we can hardly take up a newspaper without reading such stories as "The Battle of Glenbeigh," or "The Battle of Bodyke." But I say that, even if the case of Colonel O'Callaghan is exceptional, it shows the necessity of something being done to remedy the condition of things existing in the country. How did the right hon. and learned Gentleman the Home Secretary put this matter? Why, he said that the people can go away when evicted. Now, all my life I have been told that the curse of Ireland is the absenteeism of the landlords. Well, if the absenteeism of the landlords is so bad, the absenteeism of the people, who really make the wealth of a nation, must be much worse. For my own part, I would much rather see the landlords go away for ever than see the people evicted as they are now being evicted. Looking at the way this debate has been conducted — looking at the cold, harsh, stony-hearted manner in which the matter has been treated by the other side—one is almost forced to believe, as I have stated from time to time, that the policy of the Irish Government is to drive the Irish people into a state of insurrection. I hope they will not succeed in doing that, and that this debate will prove, in the end, to have been something like a vigorous attack on the present evil policy of the Government of Ireland. But we have not heard so many people speak to-night as I should have liked to hear. There are four Parties in the House now. There is the Tory Party, that I respect for their conscientious and consistent support of all that is bad. They have not spoken much to-night. They never do speak much. They leave it to the Front Bench to say a few words, and their silence gives consent to everything that falls from that quarter. Then we have another Party — I call it the orthodox Liberal Party, though some hon. Members on these Benches would not call it so. But I say the orthodox Liberal Party is that which has the largest number. I call the Liberal Party the Party which, in this House, is numbered by 270 Members, counting the Irish Members, for they are human beings, remember that. And I call the Party of 60 or 70 who used to be Liberals, dissentient and unorthodox Liberals. Well, we have heard the orthodox Liberals to-night. They have a plan of Home Rule that would settle these questions. We have also heard the Irishmen who agree with the orthodox Liberal Party, and they also have their plan; but I want to know what the Unionist Party think about these evictions? They have been silent all night. ["No, no!"] We have not heard one Unionist speech. ["Yes!"] Whose? [An hon. MEMBER: You have heard the hon. Member for South Tyrone.] Oh, South Tyrone!—a Scotchman representing an Irish constituency by hook or by crook. No; I do not think he is an honest, sound specimen of the Unionist Party. He is too good. [*Laughter.*] Oh, yes! He used to have Liberal sentiments, and they will come out again some day, if the Irish are not too hard on him. But I want to know what the regular Unionists think about this matter? There is the right hon. Gentleman the Member for West Birmingham (Mr. Joseph Chamberlain) sitting below me. He has taken a new departure. He now sits with Gentlemen. What does he think of these evictions? He is the author of "ransom," and he ought to have some opinion on it. He has formed this new National Party, and he is the Leader of it. And what does his Follower, the noble Marquess the Member for Rossendale (the Marquess of Hartington), think of the evictions? These two form the Unionist Party, together with the hon. Member for the Bordesley Division of Birmingham (Mr. Jesse Collings) and the right hon. Member for Great Grimsby (Mr. Heneage). They are a Party in this House. Why do not they tell us what they think of these evictions? Are they prepared to maintain the law which allows these horrors to go on unchecked in Ireland; or are they prepared to return to the true fold, and become respectable Members of the Liberal Party once more?

We shall receive them with open arms; all shall be forgiven, and we will live like brethren united in love. They ought to speak—do not let the right hon. Gentleman the Member for West Birmingham sit there reading a book. I say he is bound to speak on this occasion in the interests of the great National Party he leads. He is bound, in his duty to the country, which he will have to go to before very long, to tell us what he thinks of this policy which has been discussed here to-night; and if he does not do so now, then I say let him for ever hold his peace.

MR. PICKERSGILL (Bethnal Green, S.W.): I do not rise to take part in this debate further than to read a telegram which I hold in my hand. The right hon. and learned Gentleman the Home Secretary, in the course of his speech a little while ago, stated that English witnesses had not borne out the case made by the hon. Member for East Mayo (Mr. Dillon) so far as it impugned the conduct of the police at Bodyke. Well, Sir, this afternoon I asked a Question respecting the conduct of Captain Walsh and the police at Bodyke on Saturday, based upon the report given by *The Daily News*, *The Pall Mall Gazette*, and *The Daily Chronicle*. The Under Secretary for Ireland (Colonel King-Harman) replied to me, denying the facts alleged in my question. Since then I have received a telegram, which, in response to the challenge of the Home Secretary, I think it my duty to read to the House—

"The brutal and cowardly conduct of Walsh and the police at Bodyke on Saturday was witnessed by myself and friends. — Marmaduke Bell."

This gentleman is a stranger to me; but, referring to the Directory, I find that he is a private gentleman of position in the County of Gloucester.

Question put.

The House *divided*:—Ayes 165; Noes 246: Majority 81.—(Div. List, No. 244.)

[12.55 A.M.]

DEEDS OF ARRANGEMENT REGISTRATION BILL.—[BILL 283.]

(*Sir Albert Rollit, Sir Bernhard Samuelson, Mr. Howard Vincent, Sir John Lubbock, Mr. Coddington, and Mr. Lawson.*)

CONSIDERATION.

Bill, as amended, *considered.*

Sir Wilfrid Lawson

MR. KIMBER (Wandsworth) moved the insertion of the following new Clause:—

(Copies of abstracts and schedules of deeds.)

"A printed copy of such abstract, and of every such schedule or inventory, shall be sent by post to every creditor."

New Clause ("Copies of abstracts and schedules of deeds,")—(*Mr. Kimber,*)—*brought up*, and read a first and second time.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I beg to move to omit the words "copy of such abstract, and of every such schedule or inventory," and insert, "notice in the prescribed form of such deeds."

Amendment to new Clause *agreed to.*

New Clause, as amended, *agreed to*, and *added* to the Bill.

Clause 5 (Avoidance of unregistered deeds of arrangement).

On the Motion of Mr. ATTORNEY GENERAL, the following Amendments made:—In page 2, line 16, after "the," insert "first;" and in line 17, after "debtor or," leave out "a," and insert "any."

On the Motion of Sir ALBERT ROLLIT, the following Amendments were made:—In page 7, line 18, after "England," insert "or Ireland respectively;" and the same in line 19.

On the Motion of Mr. ATTORNEY GENERAL, the following Amendment made:—In page 2, line 20, at end, add "and unless the same shall bear such ordinary and *ad valorem* stamp as in this Act provided."

Clause, as amended, *agreed to.*

On the Motion of Mr. ATTORNEY GENERAL, the following Amendments made:—In Clause 6, page 2, line 29, after "and," insert "containing;" in line 30, after "debtor," insert—

"And an affidavit by the debtor stating the total estimated amount of property and liabilities included under the deed, and the total amount of the composition (if any) payable thereunder;"

in line 33, after "duty," insert—

"And in addition to such duty a stamp denoting a duty computed at the rate of two shillings and sixpence for every hundred pounds or fraction of a hundred pounds of the sworn value of the property passing, or (where no property passes under the deed) the amount of composition payable under the deed;"

in Clause 7, page 3, line 2, after "debtor," insert "and the place or places of business of the debtor;" in Clause 8, page 3, line 7, after "and," insert "in England;" line 9, at beginning, insert "in England;" line 10, leave out "in England;" after "and," insert "in Ireland;" line 12, leave out "in Ireland;" and in line 13, leave out—

"And in Ireland the Bills of Sale Department of the office of the Queen's Bench Division of the High Court shall be the office for such registration;"

in Clause 9, page 3, line 20, after "interested," insert—

"And on such terms and conditions as may be deemed just and expedient extend the time for such registration or;"

in line 22, leave out—

"Or may extend the time for such registration on such terms and conditions as may be deemed just and expedient."

On the Motion of Sir ALBERT ROLLIT, the following Amendment made:—In page 3, lines 22 and 23, leave out "or may extend the time for such registration."

Clause, as amended, *agreed to.*

On the Motion of Mr. ATTORNEY GENERAL, the following Amendments made:—In Clause 15, page 5, line 6, leave out "and an order under that section," and insert "orders under those sections;" Clause 16, page 5, line 11, leave out "1881," and insert "1884."

Clause, as amended, *agreed to.*

Bill to be read the third time *To-morrow.*

DEEDS OF ARRANGEMENT REGISTRATION [STAMP DUTY].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to impose an additional Stamp Duty of Two shillings and Sixpence for every hundred pounds or fraction of a hundred pounds of the sworn value of the property passing, or (where no property passes under the deed) the amount of composition payable under any Deed of Arrangement, which may be registered under the provisions of any Act of the present Session to provide for the Registration of Deeds of Arrangement, Assignment, and Composition.

Resolution to be reported *To-morrow.*

MOTIONS.

PHILPS TRUST ESTATE AND SCHOOLS.

Resolved, That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her assent from the Scheme for the Management of the Endowment in the county of Fife and burghs of Kirkcaldy and Kinghorn, known as Philps Trust Estate and Schools, which Scheme was laid before this House, pursuant to Act of Parliament, on the 21st day of April 1887.—(*Sir George Campbell.*)

To be presented by Privy Councillors.

MORNING SITTINGS.

Ordered, That whenever the House shall meet at Two of the clock the Sittings of the House shall be held subject to the Resolutions of the House of the 30th April 1859.—(*Mr. William Henry Smith.*)

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 17th June, 1887.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Metropolis Management (Battersea and Westminster) * (101); Municipal Corporations Acts (Ireland) Amendment (No. 2) (116); Incumbents' Resignation Act (1871) Amendment (104).

Committee — Pluralities Act Amendment Act (1885) Amendment (96-127).

PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—STAGES AND SEATS TO VIEW THE PROCESSION — PRECAUTIONARY MEASURES AS TO SUBSTANTIALITY.

QUESTION. OBSERVATIONS.

THE EARL OF CARNARVON said, he wished to ask a Question of which he had given his noble Friend below him (Earl Brownlow) private Notice with reference to the stages and seats which were in process of erection all over the town for the purpose of enabling persons to see the procession in celebration of Her Majesty's Jubilee. There were three distinct places from which the procession would be seen as regarded the seats—first of all, in the Abbey; secondly, in the streets; and, thirdly, from the balconies of the houses on the Embankment. With regard to the Abbey, he concluded that every precaution had been taken, because, no doubt, the seats had been erected under com-

petent supervision. As regarded the seat-stages in the streets he felt somewhat doubtful. Some of them, no doubt, were of substantial and solid construction, but others which he noticed appeared remarkably slight, and many were erected in places of great danger if any accident should occur. Then there were the stages on the balconies, which were less reliable than any others and more dangerous. He was afraid with regard to these it was much more difficult to introduce any system of supervision, as they were so absolutely private property. He scarcely knew who was the authority to regulate and determine this matter. It might be that the authority was divided between the Home Office, the Police, and the Metropolitan Board of Works. But the Metropolitan Board was not represented in that House, and therefore he could only address himself to the representative of the Home Office, because the Home Secretary must either directly or indirectly have great control and could exercise pressure in the matter. Therefore, he desired to ask his noble Friend whether Her Majesty's Government were quite satisfied that all possible precautions had been taken.

EARL FORTESCUE said, he desired to call attention to another matter. There would be a very large number of persons within the Abbey on the Jubilee Day, and they would consume a great deal of air. There was a great amount of painted glass in the windows, which there was very often a natural and reasonable reluctance to disturb by having openings made for the purpose of letting in air. He hoped due precautions had been taken for providing additional ventilation for the many thousands beyond any ordinary congregation which would be assembled within the Abbey, and, what was more, many of whom would be in a much higher part of the building than was usual during the ordinary performance of service. It was, therefore, of no small importance that adequate provision should be made for the ventilation of what would be for once a very crowded building.

EARL BROWNLOW: I am glad that the noble Earl has asked the Question, for I can conceive nothing which would cast a greater gloom over the community than the occurrence of an accident to the people who on Tuesday next will line the streets to welcome Her Majesty. On Tuesday last Sir Charles Warren communicated with the Metropolitan Board of Works requesting them to take precautions with regard to the security of the galleries, balconies and wooden stands. Since that time the Home Office have been in communication with the Metropolitan Board of Works, and have received the assurance that the Board have been and is taking all proper precautionary measures to insure the safety of the public in connection with the temporary structures in course of erection along the line of route. Ample notice had been given that licences may be obtained from the Board for the erection of such structures, and district surveyors are actually engaged in inspecting the structures with regard to which licences have been granted. The Board has further arranged that the contractors should be ready with men and materials to act in case of emergency. I trust that this official statement on the part of the Board of Works may tend to allay any fears in the mind of the public as to the precautions that are being taken for their safety. With regard to the arrangements in the Abbey, I am unable to give any information. They are entirely in the hands of the Office of Works, and as the noble Lord who represents that Department in your Lordships' House is not now in his place, I can only refer your Lordships' to the description in the Press of the tests that have been applied to the structures erected in Westminster Abbey. There is no reason to suppose that the structures are in any way inadequate.

PLURALITIES ACT AMENDMENT ACT (1885) AMENDMENT BILL.—(No. 96.)

(*The Lord Bishop of Bangor.*)

COMMITTEE.

House in Committee (according to order).

Clause 1 (Repeal of part of s. 206, 48 & 49 Vict., c. 54).

Amendment *moved*, in page 1, line 11, to leave out ("end of the section"), and insert ("the word Sunday inclusive"). —(*Viscount Cross.*)

THE BISHOP OF ST. ASAPH said, he would remind their Lordships of the importance of providing the Welsh people with services in the Welsh language. This was essential to the well-

being of the Church in Wales. It was only 130 years since dissent from the Church began in Wales; up to that time the great majority of the people went to the national churches. And he thought that if justice were done in this matter the time was not far distant when they would see the great bulk of the people of the Principality worshipping God in the church of their fathers.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, that everyone would sympathize with the desire that the Welsh-speaking population should have the same services as the English, but the information he had received from some places showed that the provision of Welsh services had increased the labours of the clergy without augmenting the congregations. He was told that great numbers of the younger Welsh people preferred English services to Welsh services. The object of the Amendment was to introduce a stipulation which was introduced by a Committee of the House of Commons in 1885. The proposition of the Bill was to strike out the whole section of the Act of 1885, and the object of the Amendment was to secure that due provision should be made for English-speaking populations. The Amendment was a reasonable proposition. At all events it seemed to him that justice required that English-speaking people should have due provision made for them whatever might be the case with respect to the Welsh people.

THE BISHOP OF BANGOR said, that many Welsh Churchmen had gone over to Nonconformity through the provision of convenient services in Dissenting meeting-houses, and it would be impossible to bring these people and their descendants back to the Church again without making full provision for them. In some cases he had suggested that the full morning service should be divided, and the prayers read in English and the Communion Service in Welsh or *vice versâ*.

LORD ABERDARE said that no change to which attention had been called in connection with the Jubilee was more remarkable than that which had occurred in the Church in Wales through greater attention being paid to the needs of the Welsh-speaking people. They fully appreciated the interest that Parliament had taken in them, and this had had a great effect on the Welsh people. Divided services, however, did not succeed, and it was necessary that a service in either language should be complete in itself.

THE EARL OF POWIS said, there was no question as to giving power to the Welsh Bishops to require a knowledge of Welsh in an incumbent raised by the Bill. The question was whether in bilingual parishes the clergyman should not have a discretion in apportioning the English and Welsh services. In England a clergyman was not required to perform more than two full services; a clergyman in Wales should not be required to do more. The right rev. Prelates had spoken of the necessity of having two Welsh services in each parish. How was this to be done in a bilingual parish by a single clergyman? The Ecclesiastical Commissioners would not recognize the existence of two languages, or give assistance for a double set of services. The present law was settled by a Select Committee of the House of Commons, two years ago, as a compromise. Preaching in Welsh was more agreeable to a Welsh clergyman than in English; it was not likely he would introduce more English than was requisite. He objected to alter the existing law.

THE BISHOP OF CARLISLE said, this was essentially a local question, and a strong appeal had been made to them by two Bishops, who represented the opinion of the Welsh Bishops. He thought it would be taking a great responsibility to go contrary to the opinion of the Welsh Bishops, and he should feel it his duty to follow his right rev. Brethren.

THE BISHOP OF LICHFIELD said, it was to the English-speaking people that the Bishops had to look for the support of Church work, and therefore they should take care not to do anything to interfere with or injure the English-speaking population. He earnestly trusted that, in the spiritual interest of the people, the house would not refuse to give the Welsh Bishops a discretion with which they might well be trusted, and which there was no fear of their abusing.

VISCOUNT CRANBROOK said, provision had already been made for the English-speaking population. All that they were asking the House to do on that occasion was that when they were

giving power to the Bishops to impose additional Welsh services on the clergy they should also take care not to neglect the due provision for English services.

On Question, That the words proposed to be left out stand part of the Clause? Their Lordships *divided:*—Contents 23; Not-Contents 45: Majority 22.

On the Motion of Viscount CRANBROOK, the following Amendment made:—

Insert at end of Clause—

"Provided that where one Welsh full service is provided on every Sunday no additional one shall be enforced, unless upon the report of a Commission appointed under section three of the Pluralities Amendment Act 1885.

Clause, as amended, *agreed to.*

Remaining Clause *agreed to.*

The Report of the Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 127.)

DOMINION OF CANADA—INCREASED IMPORT DUTIES ON IRON.

QUESTION. OBSERVATIONS.

LORD LAMINGTON asked Her Majesty's Government, If it is true that the Canadian Government intends to put an additional 100 per cent on our pig iron, 300 per cent on puddled bars, and 155 per cent on bar iron? In asking this Question, he felt bound to express the pleasure with which he had read in the newspapers the telegraphic despatch of Sir Charles Tupper with respect to the changes in the tariff of iron. For his Question would give the Government an opportunity of stating distinctly what the present relations of the Canadian Government to this country were with respect to the duties on iron.

EARL GRANVILLE: My Lords, it may be convenient for me to say a few words before the Representative of the Government offers to rise. I feel sure that he will confirm the fact that the new tariff increases the protectionist character of the one lately in force by an increase on pig iron of 100 per cent, on puddled bars of 350 per cent (not 300 as put in the Question), and on bar iron of 155 per cent. The noble Lord has expressed regret at the inability of the Secretary of State for the Colonies to offer any direct opposition to the change. It has lately been telegraphed to this country that a small reduction has been made as to the increased taxation of certain classes of iron; but I am sorry to say that this reduction practically amounts to nothing. It may be of use to one particular firm in the Dominion; but the principal British imports, putting aside steel rails, are puddled bars, bar iron, and hoop iron, and upon them no reduction has been made. Trade, which always implies some advantage to both parties, is for the moment nearly stopped. I presume that this will not be the case for the immediate future, because the Dominion is unable at present to supply what is wanted; but the highly enhanced price will certainly check consumption, and thus interfere with the trade. This measure so suddenly brought forth has created much discontent both here and in the Colony. To us the evil consists in diminishing the receptive powers of a good market, which is able to benefit itself by getting goods cheaper than it otherwise could acquire them. It is foolish to preach to others as to their own interests, but it is obvious that the injury to the Canadians will be much greater. To a country like Canada, whose chief resource is in timber and agricultural products which they so largely export to this country, the scarcity and dearness of iron, of that which is almost a necessary of life to men who require implements, tools, railways, and innumerable other things as cheap as possible, must be most injurious—particularly in their position as competitors with other countries whose rivalry already presses heavily upon them, there being no other result than to draw labour and capital out of their natural channels into others where they are much less efficient. It may not be to a very great extent, but the fact of diminishing the iron freights from this country must enhance the cost of the return iron freights from this country, thus still more heavily handicapping the Canadian farmer against his foreign rivals. The Secretary of State for the Colonies is quite right in declining to interfere with the Parliament of the Dominion as to their customs regulations, but I cannot doubt that they are offering advice and making representations on the subject.

The public in this country are making various suggestions as to the way in which we should meet this policy, which appears to them to be so hostile to this country. I do not believe that the stimulus has been in any way hostile to the country. If there be any wish to oppose, it is bent in a different direction. It is favoured by a belief in protection itself. It is a little owing to dulness in Lower Canada. It has a political and respectable source in the desire to conciliate Nova Scotia. It is much promoted by a few capitalists, who see their way to immediate gigantic personal profits. But you cannot expect the manufacturing and commercial classes of Great Britain to take so impartial a view, and to regard such a sudden blow to the legitimate commerce of the two countries as a friendly proceeding. Suggestions have already been made for retaliatory and differential duties on Canadian products. Now, I need not say that I personally repudiate any such action as contrary to good principles and to our best interests. But the Government of the Dominion ought not to forget that everybody may not be quite as sensible as I fancy myself to be on this particular point, and that follies may be committed which would cost everybody concerned very dear indeed. There was an interesting discussion the other day in this House on the question of a subsidy to the Trans-Pacific steamers. I took the liberty of saying that, when at the Colonial Office I carefully considered the subject, that I did not ignore the objections made on principle by the Treasury, that I did not shut my eyes to what the Naval Authorities had said on the subject, but that I had come to the conclusion that on the balance of advantages and disadvantages it was a desirable thing to do. Of course, some of these considerations were founded on comity, on friendliness, on the desire to bind the Mother Country and the great Colony in more intimate relations. But you cannot change the weights without somewhat interfering with the incidence of the scales, and no one can believe that our Parliament would be altogether unaffected when discussing the subject of encouragement to Trans-Pacific lines by any disregard shown by the Dominion to the promotion of trade between them and us. An official explanation of this measure has been based upon the fallacy that this measure is not hostile to us because we are rapidly losing our trade in Canada, which will surely go into the hands of the American ironmasters. But the facts are not so. From Canadian returns it appears that the total imports from all countries were £2,600,000 in 1885. From English returns, which of course show a much lower value, £1,300,000, which show that we have more than half of the whole imports. I see from an important American statement that they only export to Canada 10,000 out of 45,000 tons of pig-iron and only 625 tons out of 28,759 tons of puddled bars, and that was the proportion of beams, structural iron plates, hoops, bands, and sheets; and any other result, excepting perhaps in the western counties of Canada, is certain when you look at the enormous difference of price of English and American iron. As I said in the beginning, I entirely agree with the Government that they are right in not attempting to interpose any veto in this action of the Canadian Government, but it would be a sad bathos at the conclusion of the late conference if it were found that its conciliatory president, with so able and popular a representative in Canada as Lord Lansdowne, was not able by friendly and moderate counsels to modify the sudden blow which has been struck at the best interests of Great Britain and Canada.

THE EARL OF CARNARVON: My Lords, I partly agree with the noble Earl in his comments as to the disadvantage which would result to this country and to Canada from the adoption of the new tariff. The noble Earl alluded to a discussion which had taken place in the House two or three weeks ago with regard to the Canadian Pacific Railroad; and he intimated—for it was nothing more than an intimation—his opinion whether or no Her Majesty's Government might not take into consideration and weigh in the balance the duty of assisting the Canadian Pacific Railroad with a line of steamers.

EARL GRANVILLE: I said nothing whatever as to the action of the Government. I observed that Parliament might be more or less influenced in the matter by the action of the Dominion with regard to trade.

THE EARL OF CARNARVON: I quite accept the correction, but it is immaterial to the argument, because the result is precisely the same, and it will be the same also in the eyes of the people of Canada. Now, a few words on each of those two points. First of all, as regards the disadvantage to this country, I frankly admit it; no one can doubt it for a moment. It is almost in the nature of a truism. I am disposed to go further and agree substantially with the noble Earl that it is disadvantageous to all, and not least to Canada itself. This, however, is an impost clearly not directed against this country; it is an impost which I believe to have been put on for reasons of home domestic finance by the Canadian Parliament; and it must be remembered that it is an impost which has already been reduced, as I understand, from 20 to 25 per cent in deference to the wishes and representations of this country. Therefore, when the noble Earl spoke of the existence of a belief somewhere that this new tariff had arisen out of hostility to this country, there is absolutely nothing whatever to warrant——

EARL GRANVILLE: I am very sorry to have again to interrupt the noble Earl. I must have spoken very badly. I expressly stated that I did not believe there was any hostility in the action.

THE EARL OF CARNARVON: The noble Earl has misunderstood me. I stated that the noble Earl had said there was a belief in certain quarters that the action had arisen out of hostility to this country. Well, my Lords, if this be so, then it is really, I believe, a question of home finance on the part of the Canadian Government. Now, it is very easy to criticize the Canadian Government and Parliament, but the Parliament here must remember that they have had great difficulty, and that, as far as I know, for many years past they have not applied for any assistance from the Mother Country, and the loans made to them have been faithfully repaid, and that they have so managed their finance that their securities will stand comparison with any securities in the European markets, while they have been led to undertake such great works as those of the Canadian Pacific Railroad, of which it may almost be true to say the like has never been before produced. Therefore, I say it is not fair for us to criticize from a distance that finance. Still less do I think we should require them to make sacrifices for us, when it is perfectly clear that we can make no sacrifices ourselves. Our system of Free Trade is such that we have given away to every other nation whatever powers we may originally have possessed to make a bargain with. We have nothing left, practically, to give to Canada, and, therefore, we are not entitled to give credit to ourselves as against Canada in the matter. If we were prepared to make any movement towards those closer fiscal relations which have been discussed in this country, and which have many partizans in the Colonies, it would be a different case. But we have done none of these things. The noble Earl alluded to the Canadian Pacific Railroad, and questioned how far Parliament might have been influenced in supporting the scheme of Trans-Pacific steamers after this new tariff has been adopted. My Lords, I quite admit that this new tariff has come at an unfortunate moment. No one regrets it more than I do; but, at the same time, I should regret very much more if Her Majesty's Government allowed it to weigh with them in considering the very grave question as to whether they should give a subvention for the proposed new line of steamers, and for two reasons. First of all, it is not so much a question of Canada which is at issue, as it is a question of the interest of this country and the Empire at large. It is, I hold, our interest to have another through route to our Eastern Possessions. It is our interest to have a class of steamers applicable to military and naval purposes, such as I have already described in a previous debate. It is our interest to accede to the extremely favourable bargain which was more or less discussed the other evening. In default of our acceding to their views, the Canadian Pacific Railway, in the exercise of its own judgment and undoubted rights, has already entered into preliminary negotiations with other great foreign Companies to take up that line of steamers. Now, your Lordships may remember that when the subject was previously discussed Her Majesty's Government were asked to take that most strongly into account, because it would be a direct misfortune if that line of steamers which, undoubtedly, will be

set up and established whether we like it or no, should fall into the hands of a Foreign Government. This is not merely a question of Canada—not merely a question of our Eastern Possessions—but it is the whole question of the South Pacific, of Australia and New Zealand, which is involved; and, therefore, though I may agree, for the sake of argument, with all that the noble Earl opposite said with regard to the disadvantages to this country from such a tariff as that adopted by Canada, I will still say that it ought not to weigh with Her Majesty's Government in deciding the important point whether they will keep open and maintain in their hands a third great Imperial route towards New Zealand, Australia, and our Eastern Possessions. There is still ample time to adopt a prudent resolution on that subject; and I sincerely trust that my noble Friend at the head of the Government, with that breadth of mind which he can bring to bear on these subjects, and that political wisdom and experience he has, will think once, twice, thrice, before he acts on the unwise counsel from the other side of the House.

THE EARL OF DUNRAVEN: I think the noble Earl opposite was a little in error in supposing that the new Canadian tariff would have a more serious effect upon British manufactures than upon the manufactures of the United States. I must remind your Lordships that the Canadian Government has not asked anything of its own from the British Government, but has asked us to join with it in giving a subvention to a line of steamers of a private company, and I submit that it would be a very small and mean-spirited thing if any Government, or any body of people in this country, were to allow themselves to be influenced by the fact that the Canadian Government, in the public exercise of its rights, had thought fit to put a certain duty on a certain class of goods, so as to hold back from carrying out a great Imperial policy. I am quite convinced that the main object which Canada had in imposing these duties was not in any way to injure this country, but was distinctly to protect herself against the United States. A review of the statistics of our trade with Canada, and of the trade of Canada with the United States in iron goods, would, I believe, show that our trade was falling off, and the trade between Canada and the United States increasing, and unless this was checked the result would be that in a very few years the United States would supply all their wants in the most important articles of iron manufacture. I confess that I think Canada is perfectly justified in protecting herself against such a state of things; and I go further, and say that not only is she right from her own point of view, but from an Imperial point of view. Articles of iron manufacture are a prime necessity of national life, and it would be very serious if any of our great Colonies were to become absolutely dependant upon another country for articles of such importance. Although the noble Lord is correct as to the immediate effect on our trade, I do not think the ultimate result to our trade will be as bad as he anticipates; and I will refer to 1879, when Canada first instituted a national fiscal policy, or a policy of high Protection. After the Civil War, the United States being in a very dislocated condition, Canada did a very good trade with the United States; but as the United States recovered she completely swamped and overwhelmed the native market, and the Canadian cotton, iron, and other manufactures would have been annihilated if Canada had not taken measures in 1879 to protect herself, not against us, but against the United States. There was an outcry at the time, and it was said it would be an unfortunate act for us, and our trade would be totally destroyed; but the total outcome of that protective policy has been this, as far as Canada has been concerned. The prices of articles have become less—which is contrary to all the fears that were entertained—and, as a fact, she has developed great work for railways, as far as we are concerned, and our trade has very largely increased. I believe that the same results, as far as we are concerned, are likely to happen in the present case. And I would remind my noble Friend who asks this Question, that it is rather unfair to judge of protective duties by their percentages. You might have a duty on pig iron of 1*d.* a pound, and raise it to 2*d.*, and it would sound very large to say there had been an increase of 100 per cent, and yet it might make no difference. You should rather con-

sider the relation duties bear to the value of the articles produced. I should myself exceedingly regret that the duties have been put on, and I should be exceedingly glad if it were possible for Canada to discriminate in our favour, but, as a matter of fact, that is impossible. But, practically, Canada, in her tariff of 1879—whether intentionally I do not know—did discriminate in favour of the United Kingdom and against the United States. They were obliged to charge the same duties, of course, but the highest rate of duty was placed on articles mainly derived from the United States, and the lowest rate on articles mainly derived from the United Kingdom, and that had the practical effect of favouring us as against foreign countries. I am afraid there is very little use in remonstrating with, or giving good advice on this subject, to the Canadian Government. The country has benefited so very much from the policy inaugurated in 1879, that it is not very likely that they will refrain from protecting themselves against what they deem inevitable—namely, that if they do not protect themselves their iron industries will be completely swamped by the United States. I must apologize for speaking to the House on this subject without being prepared with figures and facts. If I had known there would be a discussion I would have endeavoured to prepare myself. If the noble Lord is of opinion that these duties will affect the trade of the United Kingdom more detrimentally than that of the United States, or that the duties are levied against us more than against the United States, and there should be another opportunity, I will endeavour to be prepared on those points.

EARL GRANVILLE explained that he had stated that he had made no allusion whatever to the action of the Government with regard to the Trans-Pacific Subsidy, and that the noble Earl completely accepted the explanation, but finished his speech with pressing the Government not to follow his (Earl Granville's) advice. He could only understand this as a slip of memory.

THE EARL OF CARNARVON desired to apologize at once for what must have been a slip of memory on his part.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of ONSLOW) said, that her Majesty's Government had, as the noble Earl had remarked, no power in this matter. Canada had a Representative Constitution which enabled her to decide her own fiscal policy. But any representations which might be made to the Colonial Office on the subject would be forwarded to the Governor General, and would receive the firm support of Her Majesty's Government. He could not for a moment suppose that these duties had been placed on iron in any spirit of hostility to this country. In Canada there was a large quantity of undeveloped mineral wealth, and there was also in the neighbourhood of the minerals almost unlimited supplies of timber for the production of charcoal iron. It was with a view of supplying herself to some extent with iron of her own manufacture, and not in any spirit of hostility to England, that these duties were being imposed, principally as against the United States, rather than as against the United Kingdom. Canada was the third largest consumer of iron, Great Britain standing first, and the United States second. Canada had imported in 19 years 253,000,000 dols. worth of iron. There was really nothing new in the policy which Canada had adopted in this matter, for she had already put similar duties on cotton and woollen goods. No increase was made on sheet iron, round iron, hoop iron, or the lower kinds of round iron. The duties which Canada had imposed were even now very much less than were imposed by the United States. For instance, while the United States' duty on pig-iron was 6 dols. a ton, the present Canadian duty was 2 dols., and the new duty would be 4 dols. a ton. The United States' duty on puddled bars was 16 dols. a ton, the present Canadian duty was 10 per cent *ad valorem*, or 1·70 dols., and the new duty would be 9 dols. a ton. The United States' duty on bar iron was 16 dols. and 22 dols., according to quality, the present Canadian duty was 17½ per cent *ad valorem*, or 5 dols. a ton, the new duty would be 11 dols. a ton. Nor had the recommendations which had already been made by Her Majesty's Government to the Government of Canada in consequence of the representations addressed to them by the chambers of commerce throughout the country been without effect. On that point, he would

like to read a telegram addressed by the Governor General to the Colonial Secretary which was received yesterday at the Colonial Office. It was as follows:—

"15th of June.—Following tariff changes made last night:—On boiler or other plates, iron, sheared or unsheared, skelp iron, sheared or rolled in grooves, and sheet iron, common or black, not thinner than No. 20 gauge, not elsewhere specified, including nail plates of iron or steel, No. 16 gauge or thicker, proposed reduction of 1 dol. per ton; rolled iron or steel angles, &c., channels, structural shape, and special sections, weighing less than 25lb. per lineal yard, not elsewhere specified, ½c. per lb. and 10 per cent *ad valorem*, this is reduction on some grades of 3 dols. per ton; rolled iron or steel, &c., beams, girders, joists, angles, channels, structural shapes, and special sections weighing not less than 25lb. per lineal yard, 12½ per cent *ad valorem*, this is a reduction from 16 dols. per ton to an average of 3 dols. to 5 dols. a ton; other wrought iron tubes or pipes, 6-10c. per lb. and 30 per cent *ad valorem;* steel tubes, if (? in) former resolution now excluded and duty reduced from 1½c. per lb., making duty on such pipes 20 per cent less."

That showed that the representations made by Her Majesty's Government to the Canadian Government had not been without effect.

LORD ABERDARE said, that being connected with an iron manufacturing district in South Wales, he had listened to the debate with great interest, and that he doubted very much whether the view taken by the noble Earl the Under Secretary of State for the Colonies (the Earl of Onslow) would be the view taken by the iron trade. He wished to know whether the speech of the noble Earl, the greater part of which was devoted to an acquittal of the Canadian Parliament for the action which they had lately taken, represented the views of the Prime Minister? The noble Earl had rather treated the iron trade with a want of sympathy, which, he hoped, the Prime Minister would dispel.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): What my noble Friend the Under Secretary of State for the Colonies denied was that there was any animus against the English people in the policy which the Canadian Government have pursued. The Canadian Government, in the action which they have taken, have been simply dealing with their own internal interests, and they have not the slightest desire to injure the people and the manufacturing interests of this country. It is a part of that general increase of Protection which I am grieved to say we are witnessing in every country except our own. There is, undoubtedly, in all parts of the world a strong reaction against the economic views which some 20 or 30 years ago seemed likely to prevail. Canada thinks, whether rightly or wrongly it is not for me to judge, that past experiments in the direction of Protection have been satisfactory, especially to her own industry and trade. That is probably a delusive view, but it is the one which they are pursuing, and in which they are evidently sincere. Of course, so far as any exhortations on our side are likely to affect the policy of Canada, they will not be spared; and any facts with which the iron trade may arm us, and which will enable us in any degree to modify the opinions of the statesmen of Canada, shall be put forward with all the authority we possess. But I will not conceal my belief that we are dealing with a stronger stream of opinion than any exhortations of statesmen in Downing Street are likely to affect, and that we must look for relief rather to that inevitable failure which the teachers of Free Trade have told us with great confidence has attended all the experiments of Protection in the past, and which, no doubt, will ultimately bring home to the Canadians the error which they are committing. There will not be, on our part, any want of sympathy with the iron trade in this matter; but your Lordships will remember that our sympathy can be little else than platonic, and that we cannot use our Constitutional powers for the purpose of protecting the trade from the danger which threatens it. As to the Pacific Railway, I was glad to hear the distinction drawn by the noble Earl opposite between the action of Her Majesty's Government and the action of Parliament. I do not think it would be right for Her Majesty's Government to allow themselves to be influenced in regard to this great Imperial work by such matters as we have been discussing. At the same time, I think with the noble Earl that the House of Commons is not likely, when asked to consider a subsidy for the Pacific Railway, to be indifferent to the policy which the Canadian Govern-

ment has pursued with respect to one of the most important interests of this country.

EARL SPENCER said, he was very glad that his noble Friend (Lord Aberdare) had induced the noble Marquess to make some observations on this matter, for he was bound to admit that the noble Marquess took a much fairer view of the speech of his noble Friend the Leader of the Opposition (Earl Granville) than that taken by the noble Earl the former Viceroy of Ireland (the Earl of Carnarvon). In the speech of the noble Earl the Under Secretary of State for the Colonies he, in the first place, no doubt, put a point on which they all agreed — namely, that they were not able to interfere with the perfectly Constitutional powers which the Dominion Parliament possessed for settling a matter of this sort; but the noble Earl seemed to defend the Canadian Government by saying that this was not the first time that they had taken such a course with regard to the tariff, and that their action as to other commodities was not unfavourable. That seemed to indicate that the noble Earl approved of the action of the Canadian Government. The noble Marquess did not go so far, but said he thought that the Canadians were under a delusion as to the effect which their policy would have. At the same time, he did not think that the noble Marquess argued very strongly against the action taken by the Dominion Government. What they on that side of the House felt was that when Her Majesty's Government were forwarding the representations of the manufacturers to the Government of Canada, they would diminish the force of those representations if they did not strongly urge the views which his noble Friend had put forward, that the policy embodied in the tariff was injurious to the interests of the Canadians as well as the people of this country. The impression given by the Under Secretary of State for the Colonies was that Her Majesty's Government would not urge these views on their own account.

THE EARL OF ONSLOW explained that he did not defend the action of the Canadian Government, but the reasons which led them to adopt it. The noble Earl distinctly said that there was an opinion abroad that this policy had been adopted in a spirit of hostility to this country; but he (the Earl of Onslow) pointed out that there were other reasons for inducing Canada to take the course she had. As to the idea that Her Majesty's Government would not forward the representations of the manufacturers, supported with all the authority they could bring to bear upon the Canadian Government, he distinctly stated the contrary.

LORD LAMINGTON asked, whether the Government would lay on the Table any Correspondence relating to this important subject?

THE EARL OF ONSLOW said, he could not answer that Question at once; but if the noble Lord would give Notice he would look through the Correspondence, and see if it could be laid on the Table.

MUNICIPAL CORPORATIONS ACTS (IRELAND) AMENDMENT (No. 2) BILL.

(*The Earl of Erne.*)

(NO. 116.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF ERNE, in moving that the Bill be now read a second time, said, that although the title had a formidable sound, yet the Bill itself was very limited in its scope, being applicable to one borough only—that of Belfast. As originally introduced in "another place," it was applicable to the whole of Ireland; but, with the consent of the promoters, it had been limited in the way he had indicated. The system under which the Aldermen and Town Councillors of Belfast were at present elected was by a constituency composed of occupiers rated at £10 and upwards, whereas by the Bill the £10 qualification was abolished and household suffrage substituted. It also provided that, following on the lines of the English Corporation Act, the Aldermen should be elected by the Town Council, instead of by the ratepayers, as heretofore, and that the existing system of retirement by the Town Councillors and Aldermen should be left unchanged—namely, that two Councillors in each ward should retire each year, and one Alderman in each ward every three years, so as to gradually infuse new blood into the Corporation. The Committee of the House of Commons, however, had struck out the clause dealing with the election of the Aldermen by the Town Council, and

a clause was also inserted providing that the whole of the Council should vacate their seats in November. He understood that the promoters of the Bill had accepted the change as to the mode of vacating the seats; but he was informed that the provision for the retirement of the whole of the Council in November, as made in the Bill, would make it unworkable. It would be practically impossible to make the necessary arrangements in time; and he would therefore ask, in the event of their Lordships giving a second reading to the Bill, that a clause might be inserted providing that the retirement of the Council should be postponed until November, 1888. It would also be necessary to make provision for the revision of the registries, and to provide machinery for the election of the Council. He would also ask their Lordships to re-insert the provision giving the power to the Council to elect the Aldermen instead of the ratepayers. Subject to these alterations, he thought the Bill was one to which their Lordships might safely give a second reading. He held that it was most desirable, whenever possible, to assimilate the law in Ireland to that existing in England; and he thought that the ratepayers of a loyal, prosperous, and progressive community like Belfast were pre-eminently entitled to the same privileges as those enjoyed by their brethren on this side of the Channel.

Moved, "That the Bill be now read 2ª."—(*The Earl of Erne.*)

EARL SPENCER said, he had not risen for the purpose of offering any opposition to the Bill; on the contrary, he thought the general principles of it ought to have been adopted long ago. Some of the great troubles which had taken place in Belfast would have been obviated if the Municipal Council of that important city had been elected on a more representative system. It was very proper, in the introduction of a Bill of this kind, to introduce a more popular element into the Corporation of Belfast. With regard to the modifications the noble Earl said he intended to introduce, he (Earl Spencer) could not give any opinion at the present moment. No doubt they had been considered; but he did not know how they would bear on the understanding that had taken place in the House of Commons. Reserving to himself and his noble Friends on that side of the House power to deal with these modifications when they were brought forward, he willingly supported the Motion for the Second Reading of the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 30*th instant.*

INCUMBENTS' RESIGNATION ACT (1871) AMENDMENT BILL.—(No. 104.)

(*The Duke of Buckingham and Chandos.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE CHAIRMAN OF COMMITTEES (The Duke of BUCKINGHAM and CHANDOS), in moving that the Bill be now read a second time, said, that since the Act was passed hardships had arisen from the depreciation in the value of livings, and the operation of the Act had given rise to certain doubts and difficulties which it was desirable to remove. It was proposed to remove the supposed necessity of awarding some pension, in order to do away with nominal pensions of a few pounds a year, which were insufficient as contributions to the support of the retired incumbents, but were a very heavy drag on the reduced incomes of the succeeding incumbents. It was further proposed that pensions, instead of being fixed, should fluctuate with the tithe rent-charge and the value of glebe land. Doubts had arisen as to the manner of ascertaining the income, before fixing the pension, especially as to the deduction of terminable mortgages and the compulsory payment of salary to a curate where there were two churches. Some other doubts had also arisen in the working of the Act which it was desirable to get rid of by this Bill. With these remarks he moved the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Duke of Buckingham and Chandos.*)

THE BISHOP OF CARLISLE expressed his indebtedness to the noble Duke, whose services were invaluable in this matter. He believed the Bill might be made to meet all the necessities of the case.

Motion *agreed to;* Bill read 2ª accordingly.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY) — TRAFFIC ARRANGEMENTS.

QUESTION. OBSERVATIONS.

THE EARL OF KILMOREY said, he wished to ask the noble Earl who represented the Home Office, Whether his attention had been drawn to the Circular issued by the Chief Commissioner of Police with regard to the traffic arrangements for next Tuesday? He referred more particularly to the orders which had gone forth to the effect that everybody holding a ticket for the Abbey was bound to approach by Victoria Street. He hoped his noble Friend would be able to communicate with the Chief Commissioner of Police before Monday morning, so that notice might be given of some other route than Victoria Street; because, so far as he could make out, it would be perfectly impossible for the thousands of persons who would come in carriages to attend the service in the Abbey to be set down by the proposed route in two hours or two hours and a-half. If that arrangement were adhered to, it would cause great confusion and disappointment.

EARL BROWNLOW said, that no doubt next Tuesday there would be an immense number of carriages approaching the Abbey by Victoria Street, and there would be a sufficient number of them to form a long string. It appeared to him that the question was whether the approaches to Victoria Street were open in every direction. If they were open, there would be no very great hardship in the intended arrangement. On the other hand, if the carriages could not approach Victoria Street except by a long circuit, there might, perhaps, be inconvenience caused. However, he would place himself in communication with the Police Authorities, and if he found that any modification could be made in the police arrangements as the noble Earl suggested, he would undertake to communicate the fact of any such change being made at the earliest possible moment.

House adjourned at Seven o'clock, to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 17th June, 1887.

MINUTES.]—NEW WRIT ISSUED—*For* Lincoln County (Spalding Division), *v.* Murray Edward Gordon Finch-Hatton, esquire, commonly called the Honourable Murray Edward Gordon Finch-Hatton, now Earl of Winchilsea and Nottingham, called up to the House of Peers.

PUBLIC BILLS — *Ordered* — *First Reading* — Municipal Regulation (Constabulary, &c.) (Belfast) * [291].

Committee — National Debt and Local Loans [266]—R.P.

Committee—Report —Criminal Law Amendment (Ireland) [217-290] [*Nineteenth Night*]; Customs and Inland Revenue [241].

Third Reading—Re-comm.—Report—Considered as amended—Third Reading—Deeds of Arrangement Registration [283], and *passed*.

PROVISIONAL ORDER BILL—*Report*—Gas and Water * [248].

QUESTIONS.

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL, BALLINLEA, NORTH ANTRIM.

MR. PINKERTON (Galway) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Commissioners of National Education, when sending the school requisites to the National School, Ballinlea, North Antrim, did not include the tablets and other printed matter; whether the manager, Rev. D. B. Mulcahy, P.P., wrote to the Secretaries on the 19th May last, complaining of the omission, and received no reply; and, whether the Commissioners have any grounds for declining to furnish this school with all the tablets and papers usually supplied to National schools?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the Commissioners of National Education reported that the forms referred to had been undergoing revision. Some of them had been received from the printer's hands, and would be forwarded at once.

NAVY — DOCKYARDS — ALLEGED MISAPPROPRIATION OF GOVERNMENT ARTICLES AT HAULBOWLINE WORKS.

MR. CONWAY (Leitrim, N.) (for Mr. HOOPER) (Cork, S.E.) asked the

First Lord of the Admiralty, Whether any charge of misappropriation of articles belonging to Government has been made against any person engaged at the works at Haulbowline; and, if so, whether the inquiry into the case has been concluded; and, whether, in that event, he will state the result of the inquiry to the House?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing), in reply, said, no such allegation had been made.

POOR LAW (ENGLAND AND WALES)—CROYDON WORKHOUSE INFIRMARY.

MR. DILLWYN (Swansea, Town) (for Mr. CONYBEARE) (Cornwall, Camborne) asked the President of the Local Government Board, Whether he is aware that a young girl was recently kept in the new infirmary of the Croydon Workhouse, for several weeks, awaiting her examination before the magistrates on a charge of infanticide, and that, during that time, a police constable was stationed in her room night and day, and slept on a bed placed in her room; whether the Police Regulations require or permit the constant presence of a police constable, night and day, in the bed-room of a sick girl, in a workhouse infirmary, under such circumstances; and, if so, by whom, and since when, has such a Regulation been laid down; whether the union authorities are controlled in such a case by the Police Authorities, or whether they have the right to exercise their own supervision by their own officers; and, if so, why they neglected to do so in the present instance; and, whether he will inquire into the prevalence of this practice in the other unions throughout the country, and direct its discontinuance?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have made inquiry as to the case of the girl referred to. It is a fact, I find, that she was under police supervision in the workhouse infirmary; but it is not the fact that a policeman slept on a bed placed in her room. The policeman in charge was changed every eight hours, and there was a screen round the girl's bed 5½ feet high. I consider such an arrangement highly unsatisfactory, and have been in communication with the Secretary of State on the subject, with a view to arrange that, in future, supervision in similar cases should be undertaken by a female warder. I think it right to add that I am informed that this is a very exceptional case, and is by no means illustrative of ordinary police action.

ARMY (INDIA)—THE MEDICAL STAFF.

SIR WALTER FOSTER (Derby, Ilkeston) asked the Under Secretary of State for India, Whether it is the case that an executive officer of the Medical Staff in India who officiates for less than one month as Deputy Surgeon General, in the absence of the Deputy Surgeon General on sick leave or furlough, receives no allowances for the period, although he performs the duties in addition to his other duties; whether, in such an instance, the "half staff" of the appointment reverts to the State; whether the acting officer would be held pecuniarily liable in the event of loss of stores or other mistakes; whether officers officiating on the Military (Combatant) Staff in a similar way would draw the "half staff" for broken periods; and, why the difference is made in the case of the medical officer?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: The Secretary of State is not in possession of such official information as is necessary for completely answering the Question. He will, therefore, cause inquiry to be made into the matter.

THE MAGISTRACY (IRELAND)—CASTLEWELLAN PETTY SESSIONS DISTRICT, CO. DOWN.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the magistrates in the Petty Sessions district of Castlewellan, County of Down, consist of Lord Annesley, Lord Roden, their two rent agents, an ex-officer of Constabulary, the manager of the Downshire Steamship Company, and the rent agent of General Mead's County Down estates; whether only one of these gentlemen is a Roman Catholic; whether the Lord Lieutenant, Vice Lieutenant, and the Deputy Lieutenants of the County of Down are all of them landlords; and, whether, under the circumstances, the Lord Chancellor

will be advised to fill up the present vacancies in the district by appointing to the Commission of the Peace gentlemen who have the confidence of the people?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The gentlemen referred to are in the Commission of the Peace for the County Down, and available in the Castlewellan district. The agents, however, do not sit along with their employers. One of the magistrates is a Roman Catholic. Another Roman Catholic magistrate in the adjoining district has been appointed to attend at Castlewellan also. The Lord Lieutenant, Vice Lieutenant, and Deputy Lieutenants are landed proprietors, as is usual in the case of persons holding such positions. Two recent vacancies have been filled by the appointment of local gentlemen, Mr. C. W. Murland and Dr. Gray. The Petty Sessions Court is well attended; and there is no reason to believe that additional appointments are necessary, or that the people have not confidence in the present magistrates.

MR. M'CARTAN: Are the magistrates mentioned in the Question the only magistrates living in the Petty Sessions district?

COLONEL KING-HARMAN: I mentioned two additional names, Mr. Murland and Dr. Gray, and that another gentleman, a Roman Catholic, had been requested to attend the Castlewellan district.

POST OFFICE (SCOTLAND) — FIRST-CLASS TELEGRAPHISTS, EDINBURGH —PROMOTION.

MR. BRADLAUGH (Northampton) asked the Postmaster General, Whether, in a recent augmentation of first-class telegraphists at Edinburgh, juniors have been promoted over five men of good character and efficiency, standing at the head of the second class; whether some of the juniors so promoted are less efficient than five men over whose heads they have passed; whether some of these juniors were promoted without any recommendation from the Assistant Superintendents; whether the five men, not promoted, had been canvassed by the Superintendent's Clerk to insure their lives in the Northern Insurance Company, and had refused to insure; and, whether some, and how many, of the men promoted over their heads had also been similarly canvassed, and had consented?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): It is the case that in making promotions consequent on a recent augmentation of the first class of telegraphists at Edinburgh five men standing at or near the top of the second class have been passed over. Of these five men four are indifferent telegraphists, and one has been irregular in his attendance. Of those who have been promoted, all of whom were reported to me as thoroughly efficient, one, I understand, was not included in the recommendation of the Assistant Superintendent. He was, however, recommended by the Superintendent and the Surveyor General. As to the remaining Question, I understand that there is no foundation for the statement that the men had been canvassed to insure their lives in a particular Office, and those who had consented had been promoted, and those who had refused had been passed over.

LAW AND ORDER (IRELAND)—MILITARY RIOT AT ATHLONE.

MR. D. SULLIVAN (Westmeath, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on last Sunday night in Athlone, about 300 men of the Royal Berkshire Regiment, and a detachment of the Borderers stationed there, scaled the walls of the military barracks and ran madly in the direction of the Midland Great Western Railway Station; whether it be true that on their way they savagely attacked and unmercifully beat every civilian they met, several of whom are seriously injured. One young man, named Mr. John Coffey, received such cruel treatment that he is at present in a precarious condition. After wrecking the Railway Station and the residences of the station-master and the engineer, the soldiers started shouting and yelling up the Eglington Road in the direction of the town; whether, at the bridge, a number of civilians were armed with cudgels to prevent the soldiers from entering the town; whether the police, five in number, in charge of Mr. Purdon, D.I., kept the soldiers and civilians apart, which they successfully did until armed picquets

of military arrived, or an encounter of a most serious nature must have been the result; whether some of the police were badly injured; whether the military authorities at Athlone were informed by the police that a riot was apprehended if the soldiers were permitted to enter the town on Sunday or Sunday night; whether it is true that, in face of this information, upwards of 200 passes were given to the soldiers for Sunday; and, whether, for the better preservation of law and order in Ireland, Her Majesty's Royal Berkshire Regiment will at once be removed from Athlone?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Constabulary report that about 100 men of the Berkshire Regiment, mixed up with whom were a few of the Border Regiment, scaled the barrack walls at Athlone on Sunday evening last and proceeded towards the Railway Station. Three civilians who were on the road were pursued; but only one of them, Mr. John Coffey, was overtaken. He was badly beaten and kicked. His condition was precarious for some days; but he is now progressing favourably. The windows of the station were broken and those of the engineer. The soldiers then returned towards the town; but a collision between them and the civilians was prevented by the police. One policeman only was hurt, though several were struck. At the request of the District Inspector of Constabulary the troops in garrison were confined to barracks on Saturday evening. On Sunday at 2 p.m. they were allowed out; but on its being reported to the officer commanding that disturbances were going on the men were immediately recalled, and, with two or three exceptions, all were back in barracks by 4 p.m. The police report that only eight passes were issued to the soldiers on Sunday. As regards the suggested removal of the Berkshire Regiment, the Military Authorities are awaiting the proceedings of the Court of Inquiry before coming to a decision in the matter.

MR. TUITE (Westmeath): May I ask the right hon. and gallant Gentleman what compensation will be afforded for the injury done by the soldiers on the occasion?

COLONEL KING-HARMAN: I understand that this question will be discussed at the Court of Inquiry to which I have referred.

VACCINATION ACTS—CASE OF MR. CHARLES EAGLE, LEICESTERSHIRE.

MR. PICTON (Leicester) asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Mr. Charles Eagle, of 26, Clarke Street, Belgrave, in the County of Leicester, who was recently fined 25*s.*, including costs, for refusal to have his child vaccinated; whether, on his failure to pay, the police assailed his house, climbing over the garden wall for the purpose, at 1.30 a.m. on Whit Monday morning, and whether this mode of procedure in the middle of the night is approved by the Home Office; whether Eagle was then roused out of bed, arrested, handcuffed, and taken off to gaol for 14 days; whether the police authorities declined to distrain, though there was furniture available to the value of £12 or £14; whether Eagle was the last man handcuffed on arrest in the borough of Leicester for recalcitrance against the Vaccination Laws; whether on that occasion (in May, 1876) Viscount Cross (then Mr. Assheton Cross, and Secretary of State), said, in answer to a Question of Mr. T. Blake as to the propriety of handcuffing Eagle, that—

> "He could not imagine why a man, because he did not pay a small fine, should be treated in the same way as a man who had committed a criminal offence; it seemed to him an abuse of petty power, which he should do his best to put down in the future;"

whether the practice of handcuffing in such cases was generally abandoned from that time; and, whether its renewal will be discouraged by the Government?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have obtained a Report from the Chief Constable on this matter, who informs me that on the 7th of May a distress warrant was issued to levy the sum of 22*s.* 6*d.* on the goods of Mr. Eagle. On the 27th of May the police went to the house to execute the warrant, but could find no sufficient distress. On Saturday, the 28th, a warrant of commitment was issued by the magistrates. The police, having reason to believe that Eagle was intending to go away by an early train

on Monday morning, visited his house at 1.30 a.m., arrested, and handcuffed him. It is no part of my duty to express approval or disapproval of this proceeding. The Chief Constable informs me that it is contrary to practice, and to his express orders, to handcuff prisoners, except in cases of actual necessity; but in this case Eagle was an active young man, and from the manner in which he conducted himself the police officer thought it was the only safe course he could adopt. The principle laid down when Viscount Cross was at the Home Office was that handcuffing should not be resorted to unless there is fair ground for supposing that violence may be used, or an escape attempted. This is still the opinion of the Home Office, and from it there will be no departure.

HIGH COURT OF JUSTICE—APPEALS TO THE HOUSE OF LORDS—"TURNER *v.* WHITWORTH."

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) asked the Secretary of State for the Home Department, Whether he will inquire as to the causes of delay in the delivery of judgment by the House of Lords in the case of "Turner *v.* Whitworth," heard in March, seeing that other cases are delayed, at great inconvenience to the parties, until the question at issue in the said case shall have been decided?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I do not think I can, with propriety, inquire into the causes which may have delayed the delivery of judgment in any particular case in the House of Lords. The judgments of the House finally settle the law. They require great care and deliberation; and the delay of little more than two months which has occurred in this particular case is not such as to call for inquiry or remark.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—POST OFFICE—THE TELEGRAPHISTS.

SIR JOHN KENNAWAY (Devon, Honiton) asked the Postmaster General, Whether, in view of the general relaxation of labour on Jubilee Day, the telegraphists who may be required to perform duty on that day will be paid overtime rate?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The matter to which my hon. Friend refers has been under the consideration of the Government, and it has been decided that overtime rates cannot be allowed to the officers in question.

POST OFFICE—PARCEL POST BETWEEN ENGLAND AND SPAIN.

MR. POWELL-WILLIAMS (Birmingham, S.) asked the Postmaster General, Whether, in the absence of a Parcels Post between this country and Spain, English parcels are largely sent to Spain by way of Germany, between which country and Spain a Parcel Post is in existence; and, whether some steps cannot be taken to establish a Parcel Post between England and Spain, so as to avoid the delay and expense now attending the transmission of parcels from this country to Spain?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I am not aware that English parcels for Spain are now sent by way of Germany; but I am fully alive to the importance of establishing a Parcel Post with Spain, either direct or by way of France. The hon. Member is, perhaps, aware that proposals were made as long ago as June last year to the French Government by the British Post Office with a view to establish a Parcel Post between this country and France. The matter has subsequently formed the subject of repeated representations; but still awaits the decision of the French Chambers.

WAR OFFICE—CONTRACTS FOR RATIONS, &c.

COLONEL EYRE (Lincolnshire, Gainsborough) asked the Secretary of State for War, What are the present average contract prices of the Army rations of bread and meat per lb. in England, Ireland, and Scotland; and, how do they compare with the prices paid at the corresponding period of the year in 1875?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I shall be happy to give my hon. and gallant Friend the exact information he requires if he will move for it; but at present I can only answer his Question in another form, as the records of 1875 were not kept by the pound of

each article, but by the "ration," which comprised 1 lb. of bread and ¾ lb. of meat. The comparative cost of the ration has been for England, 6·32*d.* in 1875 and 4·88*d.* in 1887; for Scotland, 6·58*d.* against 4·56*d.*; and for Ireland, 5·88*d.* in 1875 against 4·36*d.* in 1887.

EVICTIONS (IRELAND) — EVICTED TENANTS IN WORKHOUSES.

MR. O'HANLON (Cavan, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, How many members of families of evicted tenants in Ireland are now in Irish workhouses; and, whether the Government will make an order that landlords pay the extra expense to those workhouses to which their tenants have gone, so that present tenants may not have to give up their holding from increased rates?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Government have no information to show how many members of families of evicted tenants are in Irish workhouses. It is not competent for them to make the order suggested. They do not, however, consider that there will be any such undue pressure on the present tenants as that which appears to be anticipated in the question.

EMIGRATION (IRELAND) — DERRY — EVICTED TENANTS.

MR. O'HANLON (Cavan, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, The number of emigrants from Londonderry from the 1st of March to the 1st of June; and, how many were the outcome of evicted tenants?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The number of emigrants who left the Port of Londonderry during the months of March, April, and May, 1887, was 6,366. It is not, however, known how many of these were Irish. There is no record of the number of these emigrants who were evicted tenants?

MR. T. M. HEALY (Longford, N.): How many had assisted Government passages?

COLONEL KING-HARMAN: The Question is not on the Paper, and I must ask the hon. and learned Member to give Notice of it.

LAW AND JUSTICE (ENGLAND AND WALES)—OFFICE AND POSITION OF SHERIFFS.

MR. MILNES-GASKELL (York, W.R., Morley) asked the President of the Local Government Board, Whether the Government contemplate the introduction of any proposals affecting the office and position of Sheriffs, other and further than those embodied in the Sheriffs Consolidation Bill now before Parliament?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): No, Sir.

WAR OFFICE (ORDNANCE DEPARTMENT)—THE NEW SWORD BAYONET.

MAJOR RASCH (Essex, S.E.) asked the Secretary of State for War, Whether the 150,000 new sword bayonets are not practically the same pattern as those alluded to in the Report of the Royal Commission, page 97, paragraph 464, as follows:—

"We learn with some surprise that, notwithstanding the unfavourable experience which has been gained with respect to the use of the sword bayonet, it is now proposed to withdraw the triangular bayonet, and to attach a new pattern of sword bayonet to the Enfield-Martini;"

if not of the same pattern, in what particular do they differ; and, whether, as stated, the test applied is a blow of 170 lb. to the back and side of the bayonet?

MR. HANBURY (Preston) asked, whether it was the fact that this contract would take three and a-half years to complete; and whether, if the rifle on which these bayonets were to be used had not been decided upon, some decision had, at any rate, been come to as to the size and length of barrel?

MR. BRADLAUGH (Northampton) asked, whether there was a full average of men employed in the bayonet department at Enfield; and, if so, why the contract was given out to the trade?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): In answer to the last Question, I have to say that at the present moment the number of men, generally speaking, employed by the War Department is in excess of what it has generally been; and although it is a moot question whether these bayonets could be best turned out by the manufacturing department of the Government or by the

trade, there is a general consensus of opinion that some of the work should be given to the trade. These bayonets are, undoubtedly, suitable to any rifle. The 150,000 sword bayonets which have been ordered are of the pattern referred to by the Royal Commission as the new pattern of sword bayonet. This pattern has been approved by the Military Authorities. It differs essentially from that of the sword bayonets, which have given unfavourable results, being 4½ inches shorter, and having a much more equal distribution of metal throughout its length. The percussion test is a blow of from 168 lb. to 170 lb. on back and edge, given by a mechanical striking machine.

MR. T. M. HEALY (Longford, N.) asked, whether the test applied to the sword bayonets of the Royal Irish Constabulary was greater or less than that applied to the regulation bayonets?

[No reply.]

VENEZUELA AND BRITISH GUIANA.

MR. WATT (Glasgow, Camlachie) asked the Under Secretary of State for Foreign Affairs, If the Government have received any information from Venezuela, since the suspension of diplomatic relations, which they are prepared to submit to the House, more especially relating to the imperilled position of British life and property since Her Majesty's Minister left Caracas; if he is aware that the properties of British subjects in Guiana are now being offered in the London Market under a Government title and guarantee of the United States of Venezuela by the President; if he is aware that decrees have been isssued compelling British and other foreign subjects to leave the country, entailing the forfeiture of their property and interests in Venezuela; if he can indicate a probable date when Her Majesty's Government will arrive at a final decision with regard to the dispute as to the boundary line between British Guiana and Venezuela; if he is aware that President Guzman Blanco has circulated in Trinidad and other of Her Majesty's Colonies letters and documents purporting, amongst others, to contain copies of the Official Despatches of Great Britain to Her Majesty's Minister at Caracas; and, if the Government are now prepared to lay upon the Table of the House copies of all Correspondence relating to existing disputes between Her Majesty's Government and the Government of the United States of Venezuela?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Foreign Office has no official information on the first three Questions of the hon. Member. No date can be indicated at which a decision as to the boundary can be arrived at. The matter is one for negotiation when an opportunity arises. Her Majesty's Government are aware that some correspondence respecting the boundary question has been published by the Venezuelan Government. Her Majesty's Government do not propose to present any Papers at present.

BRITISH GUIANA — ECCLESIASTICAL PROVISIONS.

MR. CROSSLEY (York, W. R., Sowerby) asked the Secretary of State for the Colonies, Whether the Court of Policy of British Guiana has passed an Ordinance for the establishment of a town at Bartika; whether it provided that one-third of the sums received for the lands formerly held, at the pleasure of the Crown, by the Bishop of Guiana should be paid to the Bishop and his successors absolutely for ecclesiastical purposes; whether the effect of this would be to convert a grant to the Church Missionary Society, held at the pleasure of the Crown, into a permanent endowment of the Bishopric; whether the Ordinance had been transmitted for the approval of the Crown; whether the Governor had also forwarded a Petition from the Congregational Union of British Guiana opposing such Ordinance; and, whether he would advise a modification of the Ordinance, to meet the objection of the unendowed Religious Bodies in the Colony?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): As to the first and fourth paragraphs of the Question, the Court of Policy has passed such an Ordinance, and it has been transmitted for the approval of the Crown. It provides that one-third of the proceeds of the sale of lands stated in the preamble to have been granted for ecclesiastical purposes to the Bishop of Guiana and his successors in the See during the pleasure of the Crown shall be paid to the Bishop and his successors

to be applied exclusively for ecclesiastical purposes. I have called for a further Report from the Crown Law Officer of the Colony as to the nature of the Bishop's interest in the lands referred to. Such a Petition from the Congregational Union of British Guiana as the hon. Member mentions has been forwarded to me by the Governor. I cannot, however, say what advice I am prepared to give as to any modification of the Ordinance until I have received the further information called for.

INDIA—DEPARTMENT OF PUBLIC WORKS—PENSIONS.

COLONEL HILL (Bristol, S.) asked the Under Secretary of State for India, Whether the explanatory Memorandum attached to the Draft Contract, issued in 1868, for the information and guidance of candidates for appointments as Civil Engineers in Her Majesty's Department of Public Works in India, contains a clause indicating a pension of 5,000 rupees after 30 years' service; whether in the said document the value of the rupee is frequently referred to as 10 to the £1, or 2*s*., the actual exchange at that time fluctuating from a little below to a little above the indicated standard; whether it is a fact that at the present rate of exchange the said pensions of £500 would be reduced to about £335; whether it is a fact that Her Majesty's Royal Engineers, when employed upon precisely similar work, are paid their pensions at the rate alluded to in this manner, as is also the case with the Covenanted Indian Civil Servants; whether repeated assurances have been given by successive Governments to the gentlemen who have accepted appointments as Civil Engineers that they would be placed on the same footing as the Military Engineers; whether the Royal Engineers who elect for permanent service in the Department of Public Works have recently been granted (1886) an increase of pension to be paid at the rate of 2*s*., or in sterling; and, whether, viewing all these circumstances, Her Majesty's Government will take such steps as will fulfil the assurances that have been given, and so allow these few deserving public servants to fully enjoy, in this country, the pensions they were led to look forward to, as the reward of long years of "faithful efficient discharge of duty," and which formed an important consideration in inducing them to enter Her Majesty's Service?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: I will answer the Questions of the hon. and gallant Gentleman in order. (1.) Yes; as the maximum attainable. (2.) Yes; but it is explicitly stated that if pensions are drawn in England the payments will be made at the rate of exchange which is annually fixed for the adjustment of transactions between the British and Indian Exchequers. (3.) No; according to the rate of exchange for this year to about £375. (4.) The pensions of the officers mentioned are paid in sterling, and no question of exchange arises. (5.) Assurances have been given to Civil Engineers in the Public Works Department that, so far as their position, promotion, and eligibility for appointments are concerned, they are on the same footing as the Military Engineers; but the military officer receives his military pay proper in addition to the pay of the grade in which he is, and his pension is regulated by the Military Pension Rules, whether those are Indian or British. Those officers who have elected for continuous service in India come under the Indian Rules for Military Pensions, which have always been fixed in sterling. (6.) These pensions have not recently been increased for Royal Engineer officers; but the Indian pensions are higher than the British. (7.) The Secretary of State cannot admit that any assurances have been given to the officers in question that their pensions should be payable at a rate of exchange of 2*s*. to the rupee.

COLONEL HILL gave Notice that, in consequence of the answer given by the right hon. Gentleman, he would draw the attention of the House to this question on the introduction of the Indian Budget.

DEPRESSION OF TRADE—THE CHAIN-MAKERS OF STAFFORDSHIRE.

MR. CURZON (Lancashire, Southport) asked the Secretary of State for the Home Department, Whether he is aware of the distressing condition of affairs prevailing at Cradley Heath in Staffordshire, where 6,000 men, women, and children, concerned in the chain making trade, have been out of work for a period of more than 10 months, in

consequence of a strike for increased wages; whether these persons have hitherto been compelled to labour by piece work at prices alleged to produce not more than 7*s.* per week; whether his attention has been called to alleged violations of the provisions of the Truck Act, in the obligation imposed upon the chain makers to buy their fuel from their employers, at a higher price than it can be obtained for elsewhere; whether he is aware that the chain makers have always been too poor to contribute to the funds of trades unions, and have, therefore, had to rely for support in their present struggle upon the voluntary subscriptions of the public; and, whether, under these circumstances, he can, by friendly interposition, or otherwise, do anything that may effect a solution of the existing deadlock?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I regret to say that there is much distress in the chain making trade. I am informed by the Chief Inspector of Factories that the wages are very low, and probably the average is not more than is stated in the Question. As appears from the Report of the Chief Inspector of Factories of last year, the truck system prevails in this district. It is the case that the middlemen who give out the work often abstain from giving it to those who have not bought goods at their shops, and thus do not bring themselves within the law. Any evidence of open violation of the Statute which is brought to my knowledge shall receive attention. I have great sympathy with the privations of the chain makers; but it is impossible for the Secretary of State to interfere between employers and employed.

MR. BRADLAUGH (Northampton) asked whether, in view of what the right hon. and learned Gentleman had just stated to the House, the Government would facilitate progress with the Truck Act on Monday, which had been down for some 14 nights this Session?

MR. MATTHEWS said, his right hon. Friend the Leader of the House would be sure to do his best in that matter.

INDIA (BOMBAY)—THE ABKARI LAWS.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for India, Whether the Home Government have yet received the Report from the Government of Bombay on the incidents arising from the movement against the Abkari Laws in Tannah and Kolába; and, if so, whether he will lay the whole of the Papers received on the subject upon the Table of the House?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: The Report, which I will lay upon the Table, shows that the object of the movement in Tannah and Kolába was not to promote temperance, but to remove restrictions on the sale of toddy. As regards the eight men imprisoned, the prosecution was not, as was alleged, instituted by Government, but by an individual who had been threatened with violence for resisting the demand that he would abstain from liquor. The Proclamation, the extract of which furnished to the hon. Member seems to have been incorrect, referred solely to the action of parties endeavouring by threats and violence to hinder others from purchasing drink.

INDIA (BENGAL)—MANUFACTURE OF SPIRITS—OUT-STILLS IN THE HUGLI AND HOWRA DISTRICTS.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for India, Whether information has yet reached him of the opening of 52 out-stills in the Hugli and Howra Districts of Bengal—namely, in the Hugli subdivision 12, in the Serampore subdivision 8, in the Jehanabad sub-division 19, and in the Howra District 13 out-stills; and, whether his attention has been called to a Memorial from 4,000 inhabitants of those districts, to the Honourable Sir Augustus Rivers Thompson, K.C.S.I., C.I.E., in which the Memorialists complain of the opening of these out-stills, on the ground that it will lead to an increase of drinking and crime, and pray the Government to direct the Board of Revenue to revoke the Orders passed by them for the opening of out-stills, and thereby protect the Memorialists from what they apprehend to be a serious evil?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: A change has been recently made in certain districts in

Hugli and Howra from the Sudder Distillery to the out-still system with the view of checking smuggling which is said to be prevalent. The Secretary of State has not received the Memorial referred to in the latter part of the Question.

BURMAH (UPPER)—THE RUBY MINES.

MR. BRADLAUGH (Northampton) asked the Under Secretary of State for India, How many persons representing Messieurs Streeter are, with machinery and staff, now actually at work at the Burmah Ruby Mines; whether, as "no binding agreement" exists between Messieurs Streeter and the Government, he will state under what conditions and for what purposes Messieurs Streeter's *employés* are now working on mines where they have not yet acquired any legal right; whether the "highest bid" of Messieurs Streeter amounts to four lakhs of rupees per annum, or to what other sum; and, whether the correspondence already in possession of the Secretary of State for India shows that other persons than Messieurs Streeter were willing to make far larger, and what, annual payments?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: With regard to the first and second Questions, the Secretary of State has no information which leads him to suppose that Messrs. Streeter are actually at work on the Ruby Mines. In answer to the third Question, Messrs. Streeter's bid does, in fact, amount to four lakhs of rupees per annum. And, in answer to the fourth, the Secretary of State thinks it desirable to await the Papers, which the Viceroy informs him are on their way, before giving any answer.

MR. BRADLAUGH: Will the right hon. Gentleman inquire from India whether Mr. Jackson, the engineer in the employ of Messrs. Streeter, was escorted by an armed force to the mines, and worked there under their guard?

SIR JAMES FERGUSSON: I have no information to enable me to answer the first part of that Question; but I am authorized, on the part of the Secretary of State, to say that if the hon. Member has any cause to believe that the mines are being worked he will cause inquiry to be made on the subject.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — PROCESSIONS — THE VOLUNTEERS AND VOLUNTEER BANDS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the Secretary of State for War, Whether it is true that an Order has been issued prohibiting Volunteers and Volunteer Bands from taking part in Jubilee processions in some districts of England, though not in all; and, if so, whether he will state the reasons for such prohibition?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): It has been found in practice that processions are so frequently of a political and party nature that a General Order was issued by the Military Authorities that Volunteers, as such, are not to take part in them. Of the principle of this Order I entirely approve. But the circumstances attending the celebration of Her Majesty's Jubilee are of so special a character that an exception to this General Order may, I think, well be made. Volunteers will, accordingly, be allowed to attend processions celebrating the Queen's Jubilee. The same privilege will be extended to the Militia.

LAW AND JUSTICE—ABOLITION OF CIVIL ASSIZES IN CERTAIN COUNTIES.

MR. SEAGER HUNT (Marylebone, W.) asked Mr. Attorney General, If it be true that an Order in Council is about to be laid upon the Table of the House, doing away with the Civil Assizes in the Counties of Essex, Hertfordshire, Surrey, Sussex, Kent, and Hampshire, and transferring them to the County of Middlesex; and, whether the effect of such Order will necessitate the trial in Middlesex of all actions which otherwise would be heard in those counties, and, consequently, to increase the burden of Middlesex jurymen, by their having to try all such actions in addition to those they now try?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I have no personal knowledge of the matter referred to in the Question of the hon. Member; but since the Question was put upon the Paper I have made inquiries, and have ascertained that the subject has been under the considera-

tion of the Lord Chancellor and Her Majesty's Judges, and it is intended to lay an Order in Council on the Table of the House; but I am unable to state what the terms of the Order will be, or what effect it will have on the business of the counties referred to in the Question.

PARLIAMENTARY ELECTIONS — NEW WRIT FOR THE SPALDING DIVISION OF LINCOLNSHIRE.

MR. WADDY (Lincolnshire, Brigg) asked the Patronage Secretary to the Treasury, Whether the issue of a Writ for the election of a Member of this House for the Spalding Division of Lincolnshire, in the room of the Earl of Winchilsea (lately Mr. Finch-Hatton), has been delayed for an unusual length of time; and, when he proposes to move for the same?

THE PATRONAGE SECRETARY (Mr. AKERS-DOUGLAS) (Kent, St. Augustine's): In answer to the hon. Member, I cannot admit that there has been any unusual delay in the issue of this Writ. When seats in this House are vacated by Members becoming Peers by descent it has been laid down that the Writ of Summons to the new Peer must precede the Writ ordering a new election. The issue of the Writ of Summons depends on the time necessary to prove the title; and, consequently, can never be issued until a few days after the funeral of the late Peer. I had hoped to have moved the Writ yesterday; and I can assure the hon. Member that in the present case I have done all I can to prevent delay. Since I have been in the House I have heard from the Crown Office that the Writ of Summons has just been issued; and if I find that this is so, I will move the Writ after Questions, or before the House rises this evening.

POST OFFICE OFFICIALS — HIGHER AND LOWER GRADES.

MR. CALDWELL (Glasgow, St. Rollox) asked the Postmaster General, The number of Post Office officials of higher and lower grade respectively in each of the cities of Liverpool, Manchester, and Glasgow; whether his attention has been called to the great disproportion of higher to lower grade which exists in the case of Glasgow as compared with either Liverpool or Manchester; and, whether he is prepared to put Glasgow on a more equal footing with Liverpool and Manchester?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The number of higher appointments in an office must be regulated from time to time by the amount of superior work to be performed. I am well aware of the circumstances at Glasgow; and a proposal for revising the Glasgow office in accordance with the above principle is now under the consideration of the Treasury.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY)—THE PROCESSION — STANDS AT THE WAR OFFICE.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for War, Who is defraying the cost of the stands which are being erected at the War Office; and, whether it is the fact that none of the writers employed in the Department will be permitted to witness the Jubilee Procession from the Office?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The expense of the stands is very trifling. They are erected mainly by military artificers, with timber from Woolwich Arsenal, which will be used again in the Arsenal. The accommodation they afford is limited; and there are many outlying departments of the War Office and officers who are, or have been, connected with the Department whose claims must be considered before those of the writers, who have no permanent connection with the Department. If the hon. Gentleman happens to pass the War Office on Tuesday night I hope his financial conscience will not be outraged by a moderate illumination which he will see there. I am sorry to say that the cost of it will be defrayed by the Secretary of State.

MR. PICKERSGILL further asked, whether the right hon. Gentleman would take care that the humbler class of officials were not excluded in order to make room for the friends of the higher?

MR. E. STANHOPE: No; that is not at all the intention. There are many departments of the War Office not contained actually in the building in Pall Mall who have a prior claim on this occasion.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—POST OFFICE SERVANTS.

MR. KELLY (Camberwell, N.) asked the Postmaster General, Whether it is intended that every person, both in the Postal and Telegraph Service, shall be given a holiday on Jubilee Day, or, in cases where that may not be practicable, a holiday on some other day in lieu thereof?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): All means shall be adopted for releasing from duty on Jubilee Day every official of the Post Office who can be spared; but I regret that I am not prepared to promise that, in cases where a holiday cannot be allowed on that day, a holiday shall be given on another day. Post and telegraph business is now in full summer activity, and additional holidays are incompatible with an effective performance of the Public Service.

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY)—ADMISSION OF WOMEN REPRESENTATIVES.

SIR JOHN LUBBOCK (London University) asked the First Lord of the Treasury, Whether, having regard to the fact that the present reign has been especially characterized by the large share which women have taken in the intellectual and industrial life of the nation, to the distinguished career of many women, and to the important part now played by women in educational work and in skilled industries, he would, in issuing the invitations to Westminster Abbey next week, take these facts into special consideration?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) in reply, said, if his hon. Friend would communicate to him the names of any distinguished lady who had not been invited to Westminster Abbey, and who, in his hon. Friend's judgment, ought to receive a ticket, he would use his influence with the Lord Chamberlain to obtain admission for them, if the number was not too excessive.

MR. BARTLEY (Islington, N.) inquired, whether the First Commissioner of Works could arrange to allow persons, by the payment of a small fee, to view Westminster Abbey on Thursday, Friday, and Saturday next week, in order to inspect the arrangements which had been made for the Jubilee Service, if the Dean and Chapter offered no objection, as he believed was the case?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University), in reply, said, it really would be rather hard on the contractors, who were required to remove the works within a certain time, if the course suggested by his hon. Friend were adopted. He thought, except for the purpose of the ceremony, Westminster Abbey would be almost as well worth seeing after the galleries specially put up for the occasion had been removed.

MR. T. W. RUSSELL (Tyrone, S.) said, he wished to ask the Parliamentary Under Secretary for Ireland a Question of which he had given him private Notice—Whether, if arrangements could be made in which it would be possible for the Irish National teachers who might desire to attend the Jubilee celebrations on the 21st to close their schools, the Government would have any objection?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, it was quite open for National School teachers to close their schools on Jubilee Day, if the managers did not object, and no loss of salary would result.

MR. CAINE (Barrow-in-Furness) asked the Secretary of State for War, Whether the Order issued from the Horse Guards forbidding Volunteers to march in or join in any procession, &c., would be cancelled as regarded Tuesday next?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): That Order will be cancelled as regards Jubilee Day.

THE IMPERIAL AND COLONIAL CONFERENCE.

MR. HOWARD VINCENT (Sheffield, Central) asked the First Lord of the Treasury, If all the Colonial Representative Governments consulted have now made known their views concerning the unanimous support of the recent Imperial Conference to the suggestion that the progress of the British Empire during the 50 years of Her Majesty's Reign might be fitly marked at the present time by such an extension of the titles of the Sovereign as should distinctly

enumerate the other great trans-oceanic possessions of the British race as well as India; and, what decision Her Majesty's Government have come to on the subject?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Replies have been received from the various Colonies as to the suggested extension of the Queen's titles. Some of the Colonies concur; but others are of opinion that the alteration is unnecessary; and the question is, therefore, still under the consideration of Her Majesty's Government.

METROPOLITAN POLICE—ALLEGED CRUELTY TO A DOG.

MR. FARQUHARSON (Dorset, W.) asked the Secretary of State for the Home Department, Whether he will cause inquiry to be made as to the truth of a letter in *The Standard* of the 16th, headed "A Dog's Death," alleging acts of gross cruelty by the police in destroying a dog in Ladbroke Square; and, if the statements are proved to be true, whether he will take care that the culprits are punished?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Chief Commissioner that the statement in the paper is grossly inaccurate. A ferocious dog, apparently mad, was destroyed; but there was no cruelty.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — BELFAST A "CITY."

MR. JOHNSTON (Belfast, S.) asked the First Lord of the Treasury, Whether he is aware, at a special meeting of the Belfast Town Council held on the 13th instant, a Memorial to the Lord Lieutenant of Ireland was unanimously adopted, praying that Her Majesty would be pleased to grant a Royal Charter to constitute Belfast a city; and, whether, in consideration of its loyal desire to participate, as a city, in the Jubilee celebrations of the 21st instant, he will be pleased to recommend to the Crown compliance with the prayer of the Memorial?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): A Memorial from the Belfast Town Council has been received, and will be carefully considered on its own merits; but Her Majesty's Government do not contemplate commemorating Her Majesty's Jubilee by bestowing the title of "city" on any town in the United Kingdom.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.

MR. E. ROBERTSON (Dundee) asked the First Lord of the Treasury, On what day he will be in a position to state definitely what Bills the Government intend to proceed with after the Third Reading of the Criminal Law Amendment (Ireland) Bill; and, whether, having regard to the length of time which has been occupied on the discussion of the Irish policy of the Government, he will propose that the present Session shall be continued beyond the customary date of Prorogation, or that an Autumn Session shall be held?

MR. DILLON (Mayo, E.) said, the right hon. Gentleman might, perhaps, be able to state, at the same time, on what day he proposed to introduce the Coercion Bill No. 2?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): In answer to the hon. Member for East Mayo, I am not in a position at the present moment to say on what day that Bill will be introduced. In reply to the hon. and learned Gentleman the Member for Dundee (Mr. E. Robertson), I am sure he fully understands that, in the present state of Public Business, it is absolutely impossible for me to give any answer to his Question.

MR. T. M. HEALY (Longford, N.) asked, whether the right hon. Gentleman intended, when the Irish Land Law Bill came down to that House, to proceed with it *de die in diem?*

MR. W. H. SMITH: I shall certainly, as far as practicable, consistently with the demands of other Business, endeavour to press forward the Irish Land Law Bill as rapidly as possible.

BUSINESS OF THE HOUSE—THE IRISH LAND LAW BILL.

MR. LEA (Londonderry, S.) asked the First Lord of the Treasury, Whether the Government will take steps to press forward the Irish Land Law Bill, with a view to its introduction into this House at the earliest possible date, so as to give time to pass it in an effective form after full consideration?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster).: I think I have already answered that Question. The Government are quite prepared to take all the steps necessary in their power to press forward the Irish Land Law Bill.

ORDER — STANDING ORDERS — ALLEGED INFRACTION OF THE ORDER OF 3RD OF MAY, 1861.

MR. ARTHUR O'CONNOR (Donegal, E.): Mr. Speaker, I wish to put a Question to you, Sir, on a point of Order. On the 25th of March last a Resolution was come to by the House—

"That the introduction and several stages of the Criminal Law Amendment (Ireland) Bill have precedence of all Orders of the Day and Notices of Motion, including the Rules of Procedure, whenever the Bill shall be set down for consideration by the Government as the first business of the day."

But anterior to the Resolution there was a Standing Order of the 3rd of May, 1861, in the following terms:—

"While the Committees of Supply and Ways and Means are open, the first Order of the Day on Friday shall be either Supply or Ways and Means, and on that Order being read, the Question shall be proposed 'That Mr. Speaker do now leave the Chair.'"

Now, Sir, I perceive that on the Order Paper to-day Supply is not set down as the second Order, as it appears to me it ought to have been, but two or three other Orders have been interpolated in the shape of several Government measures. I wish to ask you, Sir, whether this is not a a distinct infraction of the Order of the 3rd of May, 1861?

MR. SPEAKER: The hon. Member has not given me Notice of this Question. It appears to me that the Standing Order says that Committee of Supply shall stand first on Friday, and that when it shall be down first on Friday, then, of course, the various Notices of Motion would operate before the Speaker left the Chair. But an order has been made giving precedence for the Criminal Law Amendment (Ireland) Bill in Committee over all Orders and Notices of Motion. There is nothing in the Standing Order to show that if Supply is not first it should be second. The position of Supply is not stated, and, as a matter of practice, it has repeatedly been put down in some place other than second when the first Order has been superseded by the action of the House.

MR. ARTHUR O'CONNOR: With due submission, Sir, may I call your attention to the exact words of the Standing Order of May, 1861, which are—

"While the Committees of Supply and Ways and Means are open, the first Order of the Day on Friday shall be either Supply or Ways and Means, and on that Order being read, the Question shall be proposed—'That Mr. Speaker do now leave the Chair.'"

The point I desire to submit to you is whether the Resolution of the 25th of March of the present year has reference to anything but the subject-matter of the Resolution itself—namely, that precedence shall be given to the Criminal Law Amendment (Ireland) Bill, and I would ask whether it in any way interferes with the rights of private Members who have Notices of Amendment on the Paper on the Motion "That Mr. Speaker do now leave the Chair?"

MR. SPEAKER: In reply to the hon. Gentleman, I may say that the Standing Order to which the hon. Gentleman refers, that while Supply and Committee of Ways and Means are open, the first Order of the day on Friday shall be either Supply or Ways and Means, that Order is distinctly superseded by the Order of the House giving precedence to the Criminal Law Amendment (Ireland) Bill. The hon. Gentleman speaks with reference to Motions preceding Supply. Clearly, if the Government were to take Supply, the Motions preceding Committee of Supply would have to be gone through, and all such Motions would be preliminary to my leaving of the Chair.

MR. ARTHUR O'CONNOR: Have, then, the Government the right on Friday to anticipate the Order for Committee of Supply by putting down such Motions as the Committee for the Customs and Inland Revenue Bill?

MR. SPEAKER: The House has itself superseded the Motion for Supply by the Resolution passed in March last.

EVICTIONS (IRELAND)—EVICTIONS AT BODYKE, CO. CLARE—CONDUCT OF THE MILITARY.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the First Lord of the Treasury, Whether the Government will now consent to the appointment of a Select Committee to investigate the circumstances which led to the recent evictions at Bodyke, and the conduct of the Military, Constabulary, and Sheriff's officers thereat?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I was in the House last night, and listened attentively to the debate; and the impression I derived from it was that the allegations were considerably reduced in magnitude and importance by the statements of hon. Members representing English constituencies, and, as at present advised, Her Majesty's Government adhere to the answer which they gave yesterday.

MR. COX (Clare, E.) said, that as the conduct on the part of the police of which they complained occurred after the English Members had left the place, the hon. Gentlemen were, consequently, not in a position to speak of what had occurred; and as they (the Irish Members) were prepared to substantiate the charges made against the Constabulary on the sworn information of independent witnesses, would the right hon. Gentleman grant them the inquiry they asked for?

MR. W. H. SMITH said, he had already replied that it was not the proper duty of the Government to grant an inquiry of the kind.

ECCLESIASTICAL COMMISSIONERS — THE TITHE AGITATION IN WALES —EMPLOYMENT OF THE MILITARY.

MR. T. E. ELLIS (Merionethshire) asked the First Lord of the Treasury, Whether the Government has sanctioned and approved the employment of the military for the collection of tithes by the Ecclesiastical Commissioners in certain parishes in Wales?

MR. OSBORNE MORGAN (Denbighshire, E.) said, he wished to ask another Question arising out of the same matter, Whether it was true, as stated in *The Daily News* of that day, that 18 or 20 persons were injured more or less seriously by conflict with the military; and, whether the Government had received any Reports on the subject?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) (who replied) said: I have received no information on that subject, and I must ask the right hon. Gentleman to give Notice of the Question. In answer to the hon. Gentleman opposite, I have to say that the Government have approved the action of the Chief Constable of Denbighshire, who, not having sufficient police force of his own to protect the bailiffs employed in distraining for tithes, and being unable to borrow the services of police from the adjoining counties, made application to the officer commanding the district for military escort, who are there for the purpose of protecting the bailiffs from violence, and not for the collection of tithes.

MR. T. E. ELLIS asked if the right hon. Gentleman was aware that in the first parish in which distraint was made there was no church or chapel connected with the Church of England, and the only ecclesiastical functionary living in that parish was the parish clerk of another parish?

MR. MATTHEWS: I am not aware of the fact.

MR. T. E. ELLIS asked the First Lord of the Treasury, whether he could give them a day to discuss the grievances of these tithepayers?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The hon. Member is, doubtless, aware that the measure which is now before the other House of Parliament, and which will shortly be down here, will give him a full opportunity of discussing that question.

MR. T. E. ELLIS asked, whether the Home Secretary's attention had been called to the reports in *The Daily News*, and other newspapers, respecting the reported attacks by the police on several persons in North Wales?

MR. MATTHEWS asked for Notice of the Question, as he had not yet had time to obtain information.

BELFAST MAIN DRAINAGE BILL.

MR. SEXTON (Belfast, W.) asked the First Lord of the Treasury, who had given an undertaking that no Irish Business would be taken during next week, Whether they were to assume that the Belfast Main Drainage Bill, which was set down for Monday, would be postponed to Monday week?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he had no power over Private Business; but he hoped the Bill would not be proceeded with on Monday under the circumstances.

MR. SEXTON: Will the Government accept a Motion for the adjournment of

the Bill until the Irish Members' return?

MR. W. H. SMITH again observed that the Government had no power over Private Business.

MR. T. W. RUSSELL (Tyrone) asked, whether an undertaking had not been publicly entered into in the House that the Belfast Main Drainage Bill would be allowed to pass after the Franchise Bill had gone through all its stages in that House?

MR. W. H. SMITH said, he was not aware of any such undertaking; but he was sure if it were made it would be honourably fulfilled.

MR. JOHNSTON (Belfast, S.) asked, whether, with the consent of the hon. Member for West Belfast, the 20th of June was named as the day on which the Belfast Main Drainage Bill should be taken?

MR. W. H. SMITH said, he was not aware of that fact; but he hoped all the undertakings entered into would be carried out.

MR. SEXTON said, it was understood that the Drainage Bill was dependent upon a Franchise Bill coming down from the other House. If the Bill were proceeded with on Monday, all the Irish Members would have to remain in London.

SIR JAMES CORRY (Armagh, Mid) said, he had not the same understanding respecting the engagement as that come to by the hon. Member for West Belfast, and he certainly intended to proceed with the Drainage Bill on Monday.

MR. SEXTON gave Notice that if the Bill was proceeded with on Monday, he would move that the House disagree with each of the Lords' Amendments.

ORDERS OF THE DAY.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 217.]

(*Mr. Arthur Balfour, Mr. Secretary Matthews, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 15th June.*]

[NINETEENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

DANGEROUS ASSOCIATIONS.—ARMS.

Clause 6 (Special Proclamation putting into force the enactments of this Act relating to dangerous associations).

MR. FINLAY (Inverness Burghs): I have to move, as an Amendment, in page 5, line 18, the omission of the words "for putting in force the enactments of this Act relating to dangerous associations."

Amendment proposed, in page 5, line 18, to leave out from "for putting" to "associations," in line 19 inclusive.—(*Mr. Finlay.*)

Question, "That the words 'for putting in force the enactments of this Act relating to dangerous associations' stand part of the Clause," put, and *negatived.*

MR. CHANCE (Kilkenny, S.): I move, as an Amendment, in page 5, line 26, to omit the words "any such special proclamation shall be deemed to have expired." I desire to make the clause read thus—

"If within a period of fourteen days after the same has been laid before Parliament an address is presented to Her Majesty by either House of Parliament praying that such special proclamation shall not continue in force as to an association or associations named or described therein, such special proclamation shall be deemed to have expired so far as the same relates to such association or associations."

I think this is a reasonable proposal, if the House is to have any control in the matter.

Amendment proposed, in page 5, line 26, to leave out the words "any special proclamation shall be deemed to have expired."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University) was understood to accept the Amendment.

Question put, and *negatived.*

MR. CHANCE: I have now to move an Amendment in line 27.

THE CHAIRMAN: Order, order! There are other Amendments on the Paper which come before that of the hon. Member.

MR. HENRY H. FOWLER (Wolverhampton, E.): The Amendment I propose to move in line 27 is to leave out "if" and insert "unless." This subsection empowers Parliament to negative a Proclamation; but what I propose is to substitute an affirmative for a nega-

tive action, and to provide that a Proclamation shall not be put in force unless both Houses of Parliament approve of it. The ground upon which I move the Amendment is that these special Proclamations have, I think, been hitherto unknown in the Constitution of this country. The power which the Bill will give to the Lord Lieutenant is so exceptional that too great care cannot be taken to prevent its abuse, by stipulating that before the people of Ireland are deprived of their Constitutional liberties, there ought to be a statutory authority for the step. In my humble judgment, this is the worst clause in the Bill, the most dangerous clause, and a clause which ought to be resisted to the very utmost. I ask that the Government, before putting the Proclamation in force, should receive the assent of both Houses of Parliament. If there should be any national danger, we have a right to assume that Parliament would at once confer even such exceptional powers upon the Government *pro hac vice.*

Amendment proposed, in page 5, line 27, to leave out "if" and insert "unless."—(*Mr. Henry H. Fowler.*)

Question proposed, "That the word 'if' stand part of the Clause."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): It is perfectly true, as the right hon. Gentleman has stated, that there is no exact analogy, as far as I know, for the clause under discussion. Nevertheless, there are a good many arrangements which more or less present a resemblance to the course which this clause follows. For instance, there is that which applies when the Reserve Forces of the country are called out. The law requires that Parliament should come together when the Reserve Forces are embodied, but it does not compel a discussion of the policy of the course. Parliament may do so if it wishes, but it is not compelled to enter into a formal discussion and pass a formal Vote. In some cases, certain proposed Rules derive validity from the fact that they are laid upon the Table of the House for a certain time. No doubt, if Parliament should be summoned together to sanction a Proclamation under this clause, and if any large and responsible section of the House were to hold that the Proclamation was uncalled for, the Government would undoubtedly be bound to afford an opportunity for its full discussion, and it would then be the subject of a Vote in accordance with the wishes of the right hon. Gentleman opposite. On the other hand, if it should be felt generally that the Proclamation was justifiable, why should Parliament be compelled to waste a night or two in the discussion of a matter about which both sides of the House were agreed? For these reasons I think it is not desirable for the Committee to accept the Amendment.

MR. T. M. HEALY (Longford, N.): The defence which the right hon. Gentleman has made of this sub-section is somewhat extraordinary. He talks of the Reserve Forces. What on earth have the Reserve Forces to do with the matter? They are called out to defend the country in a time of peril, and, no doubt, Her Majesty cannot call them out without a Proclamation; but in that case Parliament is summoned to meet. Here is a case in which there is no such machinery for giving us an opportunity of discussing the matter, or of taking a Vote of the House in approval or condemnation of the action of the Government. It is not a question, although the Chief Secretary has put it in that way, that Parliament should be compelled to discuss the Proclamation, but that Ministers should be compelled to make a Motion for approving it. We do not propose to enact that Parliament should be compelled to discuss the Proclamation, and the right hon. Gentleman, if he thinks so, must have an extraordinary idea of the use of language. What we desire is, that if this Proclamation is to be issued at all, Her Majesty's Ministers shall be obliged, themselves, to make a Motion asking for the assent of Parliament, and if they do not do so, then the Proclamation shall have no force and effect. That is a very different thing from laying the Proclamation on the Table of the House and saying that it shall be law, unless Parliament annuls it. Let me give an instance. Certain Rules relating to the Judicature Act were laid upon the Table of this House, and Sir Hardinge Giffard, the present Lord Chancellor, was anxious that they should be discussed, and he was supported by a numerous body of Members; but it was not until the

Egyptian Question was raised, on a Saturday, that he was able to get a day for the discussion. If there had not been a Saturday Sitting there would have been no opportunity for discussion at all, and it would have been in the power of the Ministry to have changed the whole Rules of the judicial system of this country without affording an opportunity for considering them. If we are to have any protection from Parliament at all, it is not too much to ask that the Ministry shall be compelled to give some grounds in this House for their action. It is not a case of compelling Parliament, but of compelling Her Majesty's Ministers, to give grounds for the faith that is in them, and their reasons for asking Parliament to support them, rather than give a blind adhesion to everything they may choose to do. It is simply placing an additional check upon the action of Ministers before they suppress the right of association and combination. The levity with which the Chief Secretary for Ireland has dismissed the Amendment is in keeping with his usual practice. He seems to treat the whole Irish people as an entomologist would treat lepidoptera or rotifera. He treats us like cockroaches and not as human beings of flesh and blood. We protest against being treated as Hottentots. His view of the situation is not ours, and we say that if you are to suppress the right of association and combination, you shall ask for the formal permission of Parliament, without leaving us to ballot for a day. What is a responsible section of the House? Are 86 Members a responsible section? Was it a responsible section which last night brought forward a Motion in reference to the bludgeoning of a large number of persons in the County of Clare, because the argument used against it was that it was an interference with the discussion of a more important measure? If the right of association is to be destroyed by this unparalleled measure, the least you can do is to ask Parliament to approve of your own disgraceful conduct.

MR. OSBORNE MORGAN (Denbighshire, E.): The right hon. Gentleman the Chief Secretary for Ireland has alluded to the calling out of the Reserve Forces. As I was responsible for the carrying of the Reserve Forces Act through Parliament, I should like to remind the right hon. Gentleman that a Proclamation under that Act can only be issued in a case of imminent national danger, or great emergency. What we were thinking of when that Act passed was invasion, or the danger of invasion. Will the right hon. Gentleman say that there is the slightest analogy between that case and a case like this?

MR. A. J. BALFOUR: The right hon. and learned Gentleman has pointed out the distinction between a Proclamation under the Act for calling out the Reserves and a Proclamation under this measure. Of course, I admit that the cases are different. All I said was that they were analogous in one particular, and that particular was one which was material to my argument. Nor has the right hon. and learned Gentleman shaken my contention.

MR. CHILDERS (Edinburgh, E.): The right hon. Gentleman has given as an analogy the action of Parliament when the Reserve Forces are called out. But perhaps he will allow me to say that when Her Majesty calls out the Reserve Forces, the procedure does not end with the publication of the Proclamation and the meeting of Parliament. Not only has the Proclamation to be made, but Parliament has to vote the number of men who are to be called out, and also the amount of money to be expended. That is settled by statute and custom long antecedent to the Act of 1882, and it is necessary, on every occasion when an addition is made to the Army, to take a distinct Vote of Parliament. Therefore, I think the right hon. Gentleman was somewhat rash in referring to the calling out of the Reserve Forces as analogous to a Proclamation under this measure by the Lord Lieutenant. The analogy is all the other way, as a Vote of Parliament is absolutely necessary. It was my duty, in 1882, to ask for a distinct Vote of Parliament when a proposal was made to call out the Reserve Forces. It has been the duty of other Ministers to take a similar course; and whenever the Reserve Forces are proposed to be called out again, Parliament will have a full opportunity of discussing the matter. Therefore, the Committee will see that the parallel or analogy drawn by the right hon. Gentleman is altogether illusory.

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin Uni-

versity): This is a discussion which simply relates to the machinery of the Bill. As Parliament must be called together when a Proclamation is issued, hon. Members in any portion of the House will be able to challenge the action of the Executive. It would be useless for the Government to submit a formal Resolution themselves, when no one desires to challenge their action.

MR. CHILDERS: What is asked is that the matter should of necessity be discussed.

MR. HOLMES: It may be discussed at the instance of the House; and I think it would be as well to follow the analogy of the action of Parliament in every instance in which the issue of a Proclamation is raised. I could mention 20 or 30 instances in which the course proposed in this clause is adopted. The Proclamations or Orders in Council are laid on the Table of the House, and, if the House thinks fit, they can be discussed. I would strongly press upon the Committee the propriety of not deviating from the machinery already provided by Parliament in other cases.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): The right hon. Gentleman the Chief Secretary for Ireland has said that when Parliament is called together, if it should be the opinion of any large or responsible section of the House that the matter was one that ought to be discussed, it would then be the duty of Her Majesty's Government to afford opportunities for its discussion. But the speech of the right hon. Gentleman in that respect is directly contradictory to that of the right hon. and learned Attorney General for Ireland, because the Attorney General for Ireland has just told us that it would be in the power of anybody to discuss it. That is not so, and if the Attorney General for Ireland is right in theory, the Government will still possess the power of closing any discussion whatever.

MR. HOLMES: What I said was that it would be in the power, even of a portion of the House, to raise a discussion.

MR. W. E. GLADSTONE: Very well; I will take it in that way; but a Member is a portion of the House, and it would be in the power of any Member to procure a discussion. The right hon. and learned Gentleman has raised a totally different condition—and certainly the more rational condition—which was originally put forward by the Chief Secretary for Ireland, because the right hon. Gentleman recognized that, in point of fact, it does not at all follow that it will be in the power of a private Member, or even of a dozen private Members of the House, to obtain a right, on any particular day, to discuss a matter of this kind. The Chief Secretary says that the Government ought to grant a discussion if it was desired by any large or responsible section of the House. What does he mean by the words "any large or responsible section of the House?" The most responsible section of the House, so far as the guardians of Irish liberty are concerned, are the Irish Members themselves. Does the right hon. Gentleman mean that if the Irish Members, or a large number of them, desire a discussion, that will be a sufficient ground for making it the duty of the Government to cause a Proclamation of this kind to be discussed? Did he use the words "responsible section of the House" for the purpose of including the Irish Members or for the purpose of excluding them, or did he mean to refer only to the regular Opposition? Is it to be understood—I do not mean to say the mere demand of hon. Gentlemen below the Gangway would make it the duty of the Government to discuss a question of this kind—but is it to be understood that it will be in the power of the Irish Members, acting together as a body, to secure a discussion? I hold that my right hon. Friend the Member for East Wolverhampton (Mr. Henry H. Fowler) was acting strictly in the discharge of his duty in the demand he has made, and the attempts which have been made to meet the case by the Government have totally and absolutely failed. In the first place, the right hon. and learned Attorney General for Ireland says that he knows of 20 or 30 analogous cases in which the Proclamation is laid on the Table, but without the necessity of discussing them, and, when pressed, he instanced as one the Prison Rules, which is, no doubt, the best case he could give. But does he know of any case where, in consequence of an alteration of the Prison Rules, Parliament has been called together? That would be the only analogy worth meeting. I judge,

from the silence of the right hon. and learned Gentleman, that he knows of no instance whatever in which, on account of a change of Prison Rules, Parliament has been called together, and, therefore, his 20 or 30 cases have nothing whatever to do with the matter. Then what becomes of the analogy of the Chief Secretary for Ireland? It has recoiled on his own head. It has been proved, in the first place, to be directly the reverse of what he stated to be the case—namely, that in respect of the calling out of the Reserves by her Majesty, there must be a Vote of Parliament and, consequently, there must be the approval of Parliament. When the right hon. Gentleman said that the two cases were perfectly analogous he was altogether mistaken, because, so far as analogy is concerned in the case he quoted—the calling out of the Reserves—Parliament is required to be called together. In making an effective addition to the Army, there are certain forms prescribed by Parliament which must be observed, and, so far as the analogy is concerned, it is completely the other way, and the precedent quoted by the Chief Secretary for Ireland goes directly against him. In the case of the calling out of the Reserves there cannot be the smallest suspicion attaching to the act of the Executive Government, and yet, in that case, the Legislature has thought it wise to require Parliament to be called together and the approval of Parliament to be expressed. Surely, if that is so, it ought to be much more necessary in a case of this kind; because, in this instance, you are placing into the hands of a political officer—the Lord Lieutenant of Ireland—the power of issuing a Proclamation which will set aside the ordinary rights of Her Majesty's subjects. The undoubted right of every Irishman to be tried by a regular Court of Justice is abrogated, and you substitute for it the sole authority of the Lord Lieutenant. The Lord Lieutenant, in point of fact, is to constitute the crime, and on that being done, he is not only not to allow any interference on the part of the Court, but he is to inflict the punishment for the crime himself. Now, surely, that is a strong case, and a very much stronger case than the calling out of the Reserves, for requiring Parliament to be called together and its approval taken. Therefore, if in the case of calling out the Reserves the action of Parliament is to be invoked, the analogy in this case is irresistible, and the argument cannot be justified for a moment that in this instance Parliament is not to discuss the action of the Lord Lieutenant. If we are to have any regard at all for the Constitution—and that, I am bound to say, is a matter which is becoming more and more a matter of doubt in my mind—if we are still to have anything like the semblance of respect for our traditions, and for those objects which have been dearest to the hearts of all generations of Englishmen heretofore, then the case is as clear and as strong as it could possibly be that the Government should accept the proposal of my right hon. Friend, especially when, as the Attorney General for Ireland says, it is, after all, a mere question of machinery. Being a question of machinery, I trust that the Government will make no difficulty in adjusting it according to the principles of the Constitution.

MR. A. J. BALFOUR: The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) has pressed me to give an exact definition of what I meant by a responsible section of the House. Of course, the right hon. Gentleman does not expect that I should give him an exact and precise and numerical definition on a matter such as this. I think it would be sufficient to satisfy the Committee that there was a demand made on the Government of sufficient importance to justify its being complied with. On such a matter as this, I take it that if the House were called together in consequence of a Proclamation dealing with the affairs of Ireland, and with purely Irish subjects, it would be the duty of the Government to afford facilities for discussion, if it were asked for by the Irish Members, or by any considerable section of the Irish Members. I cannot conceive that any person occupying a responsible position in this House would shrink from a discussion of that kind. The right hon. Gentleman proceeded to attack me for the analogy I drew between this case and the calling out of the Reserves. Now, I guarded myself by saying that there was not an exact analogy between a Proclamation under this Bill and the Act of 1882 which relates to the Reserve Forces of Her Majesty. As far as I

understood the remarks of the right hon. Gentleman the Member for East Edinburgh (Mr. Childers), he led the Committee to suppose that there is something in the Act of 1882 which requires the House to discuss a Proclamation issued under it.

MR. CHILDERS: What I said was that Her Majesty's Government cannot add to the Army without a Vote of Parliament; and the same course must be taken in regard to the calling out of the Reserves, as calling them out creates an increase of the Army.

MR. A. J. BALFOUR: Now, I think, Sir, there is a considerable analogy between this case and that of calling out the Reserves.

MR. CHILDERS: No.

MR. A. J. BALFOUR: The right hon. Gentleman has stated that, although there is nothing in the Statute to compel a Parliamentary discussion, yet, as a matter of fact, this House is called upon to vote the money, and, having that duty to perform, the fact of calling out the Reserves must lead, absolutely, to a discussion in Parliament.

MR. CHILDERS: The operation of the Statute must necessarily involve a Vote of money, and, under such circumstances, it would have been absurd to use language as to that Vote in the Statute which already was fully provided for.

MR. A. J. BALFOUR: In the case of the Reserves the men would be already under arms. The Proclamation would take effect directly it was issued, and if Parliament did not happen to be sitting at the time, it would be necessary to summon Parliament together; but, during the interval between the issue of the Proclamation and the summoning together of Parliament, the Proclamation would have full force. There is no doubt that under this clause, when a Proclamation is issued, Parliament would feel it desirable that such a Proclamation should be discussed. The right hon. Gentleman the Member for Mid Lothian proceeded to say that this clause enables the Lord Lieutenant to create a new offence by Proclamation, and he stated that if you enable the Lord Lieutenant, who is, in fact, the Executive of the country, to create an offence, it would be perfectly monstrous if Parliament were not called together in order to deliver an explicit opinion upon the matter—that Parliament, in fact, should pronounce a judgment as to whether the exercise of power on the part of the Lord Lieutenant was justifiable or not. Now, the Lord Lieutenant has power, under the provisions of this Bill, to proclaim unlawful assemblies and dangerous associations.

MR. W. E. GLADSTONE: There is no provision in this Bill for calling Parliament together.

MR. A. J. BALFOUR: That is exactly what I say; but, under the Act of 1882, the right hon. Gentleman gave the Lord Lieutenant the power of similarly creating what he styles a new offence, and the right hon. Gentleman did not even provide the safeguard of Parliament being called together and the Proclamation being laid on the Table of the House. Therefore, although it may be true that Her Majesty's Government are not going as far as the right hon. Gentleman now thinks they ought to go, it is impossible not to see that we are going much further in the way of securing that Parliament should have control in the matter than was done five years ago, and if the right hon. Gentleman will condescend to look at the 10th section of the Act of 1882, he will see that there is no provision to compel the Government whenever the Lord Lieutenant issues a Proclamation to take the opinion of Parliament upon it.

MR. W. E. GLADSTONE: The remarks of the right hon. Gentleman have only made the matter worse. He has told the Committee that the Lord Lieutenant has power to create offences under the Act of 1882. Now, have not the Magistrates the power of creating offences when they read the Riot Act? Where the Lord Lieutenant, acting on the part of the Crown, does certain acts under the Statute, he is simply doing what is strictly analogous to the ordinary duty of the Executive Authorities, when they apply the provisions of the law in a definite case, and it becomes an offence to go against their orders. What has this to do with the case now before the Committee, when the Government are, for the first time, placing the judgment of the Lord Lieutenant, a political officer, in the place of the fundamental principle of the liberty of the subject, in the circumstances in which I, myself, and those who acted with me were compelled —very reluctantly, by the gravity of the

case—to provide that Parliament should be called together. You refuse to do that, and you refer us to the Reserves Act although that Act provides that Parliament should be made a party to every Proclamation issued under it. You refuse to call Parliament together to share your responsibility. On this side of the House we say that that is the only security for the right exercise of that responsibility, although the Reserves Act to which you appeal did the very thing, and required the combination of Parliament with the Executive in order to render the transaction complete.

SIR WILLIAM HARCOURT (Derby): Nothing can be more entirely fallacious than the reference of the right hon. Gentleman the Chief Secretary to the Act of 1882, relating to an illegal meeting. That Act contained a clause giving the Lord Lieutenant power to prohibit meetings which he had reason to consider might be dangerous to the public peace; but that is a power, as my right hon. Friend (Mr. W. E. Gladstone) has just stated, which belongs to the magistrates under the Riot Act, and the analogy which the right hon. Gentleman the Chief Secretary has attempted to draw, by which a particular act is declared an offence, is altogether fallacious, and entirely unworthy of the right hon. Gentleman.

MR. DILLON (Mayo, E.): I cannot understand the strong objection of the Chief Secretary to accept the Amendment of the right hon. Gentleman the Member for East Wolverhampton. He seems to contemplate that Parliament should be called together for the purpose of considering a Proclamation which may be issued when Parliament is not sitting, and if Parliament is already sitting, that the Proclamation must be laid before it; but he seems to contemplate further that no discussion may take place on that Proclamation, although, at the same time, he said that a discussion would probably take place if any responsible or large section of the House of Commons demanded one. It is all very well to be assured that the Government would recognize a large body of Irish Members as the responsible section of the House of Commons. I have never stated in this House that I would not accept any statement by the right hon. Gentleman on his own responsibility; but it must not be forgotten that the Irish Chief Secretary is changed nearly every month now-a-days, and the right hon. Gentleman may be occupying a much happier position than he now occupies by next Christmas. In that case, what security should we have that the Successor of the right hon. Gentleman would necessarily feel himself bound by any declaration made by the present Chief Secretary. From my own experience I decline to accept any declaration of this kind as any safeguard. What are the facts? We have, on repeated occasions, appealed for days to discuss important Irish questions; but we never yet succeeded in getting a day, except the solitary instance of the day that was granted by the noble Lord the Member for South Paddington (Lord Randolph Churchill) to discuss the Bill of my hon. Friend the Member for Cork (Mr. Parnell). That is the only occasion, within my memory, that the Irish Party ever succeeded in getting a day for the discussion of a question in this House, no matter how important it might have been. No doubt we have sometimes succeeded in wresting a day from the Government, and devoting it to our own purposes; but we owe no thanks to the Government for that. It must also be remembered that even the opportunities for discussion given to the Irish Members by the Rules of the House are being taken away from them, and that there is in existence at this very moment a set of new Rules in order to prevent hon. Members below the Gangway from getting any day at all for the discussion of Irish Business. Then I beg to repeat that no declaration of this kind made by the Irish Secretary is any security whatever that the rights of the Irish Members will be safeguarded. When the time arrives for the issuing of a Proclamation, we shall probably be informed that a discussion of the Proclamation itself would interrupt the consideration of more serious Business of the House. In discussing an Amendment like this at the present moment, we are placed in an extremely difficult and awkward position; because, in order to point out the enormous importance of a Proclamation issued under the 6th section of the Bill and the truly unprecedented character of the Proclamation,

I am obliged, reluctantly, to refer to certain Amendments which have been placed on the Paper, and which, I regret to say, we shall have no oprortunity of discussing, or even of dividing upon. The other day the Government accepted an Amendement of the hon. and learned Member for Inverness (Mr. Finlay), which undoubtedly modified to some extent the atrocious character of the 6th and 7th clauses. But the Chief Secretary has now, on the part of the Government, placed a further Amendment on the Paper which is calculated entirely to destroy the effect of the Amendments of the hon. and learned Member, and to restore to its original atrocity the character of these clauses. Now, I beg to say that the proceedings of the Government in this matter are of an extremely objectionable character, to use a very mild expression; but what can we do during the short space of time meted out to us for the discussion of the Bill. The hon. and learned Member (Mr. Finlay) passed Amendments which materially modified the barbarous character of those two clauses; but now the Government have placed this further Amendment on the Paper, which we can have no power of discussing, or dividing upon at any rate, what power we may have nobody can at present tell. Nobody knows what is to happen after 10 o'clock to-night; but the proposal of the Chief Secretary altogether alters the Amendments already accepted. The Amendment of the Chief Secretary is in Clause 7, page 6, line 5, to leave out the words, "any association which he believes to be a dangerous association," in order to apply the clause to

"Any association named or described in such special Proclamation, or any association which appears to the Lord Lieutenant to be a dangerous association, and to have been, after the date of such special Proclamation, formed or first employed for any of the purposes of any association named or described in such special Proclamation."

What will the effect of this be? A Proclamation may be issued proclaiming some secret association in Kerry. Perhaps a discussion may be permitted upon it, or possibly there may be no discussion at all. However, if any discussion is taken, it will be on that Proclamation only. When the Proclamation shall have received the sanction of Parliament it will be in the power of the Lord Lieutenant, without coming to this House at all, to proclaim any other association which, in his opinion, after the date of the original Proclamation, has been guilty of any of the offences against which the original Proclamation was directed. In such case it will be possible to hang on links, one after another, in a chain for affiliating every association with the National League which may have been called into existence for Boycotting or other purposes. For instance, a Moonlighting association may be suppressed for Boycotting, and under this provision the Proclamation of such an association might bring every branch of the National League under the same Proclamation. Let me call attention to the enormous powers conferred on the Lord Lieutenant by this clause. As far as I am acquainted with the 86 Coercion Acts which have preceded this measure, these powers are far more tyrannical than any which have hitherto been sought to be placed in the hands of the Lord Lieutenant. Although this is the 87th Act it contains powers which are entirely unprecedented; and, therefore, I say that it is a monstrous position for the Chief Secretary to take up, that he will deny to this House the security that the Proclamation, when it is made, will receive discussion in both Houses of Parliament, nor is there anything in what the Chief Secretary said, or any declaration he has made, that gives the slightest security to us that any discussion will take place on the subject, because it will be perfectly open, notwithstanding everything he has said, for his successor to get up and inform us that the Government are not bound to look on the Irish Members as a large and responsible section of the House, and consequently to decline altogether to allow any discussion on the matter. In order to point out the enormous importance of the question, let me refer for a moment to a letter which appeared in *The Times* of yesterday, and which was quoted in the course of the discussion which took place yesterday. I refer to a letter written by Mr. Clifford Lloyd, in which he states—

"We are undoubtedly on the eve of a struggle in Ireland with one of the most formidable revolutionary organizations in modern history."

This may seem to some hon. Members to be somewhat hyperbolical and exaggerated language; but either Mr. Clifford Lloyd knows Ireland, or he does not,

and the chief point of his letter is this —that in using that language he expresses the conviction, determination, and unanimous opinion of those persons in Ireland with whom he sympathizes, and with whom he has worked before. They look upon this Act as directed against the National League and nothing else. That is the belief of these men, who, I believe, had a great deal to do with the hunting of the right hon. Baronet the Member for West Bristol (Sir Michael Hicks-Beach) out of the Irish Office, and who are prepared to hunt the present Chief Secretary out of the Irish Office if he refuses to do their will. I maintain that this Bill has been drawn to crush the National League, and, therefore, I say it ought to be remembered when we are giving these powers to the Lord Lieutenant, what the real purposes are for which they are intended to be used, and for which they will be used, if this Bill is passed into law. I sincerely trust and hope, that the anticipations of Mr. Clifford Lloyd will not be realized. I trust and hope that even the right hon. Gentleman who is now Chief Secretary for Ireland will be wise enough to make it his business this summer to go over to Ireland, and learn for himself the principles and the character of the National League, before he plunges into a mad career of opposition to that organization. If it be proved that these clauses are intended to be used in an attempt to crush the organization of the National League in Ireland, I say, that it is a most fatuous and precipitous course to deny to Parliament, before entering upon a crusade, the gravity of which it is impossible for any man to calculate, the right of discussion. I appeal to the people of England to pause once more before they take this leap over the precipice, for I say with confidence engendered by a long and intimate acquaintance with the people of Ireland, that in all their history the English people have never passed any Act more calculated to bring upon them shame and long repentance than this measure. If you do pass these provisions you will find that after long years of struggle, misery, and suffering on the part of the Irish people, and of cruelty and of shame on the part of England, that you have entered into a struggle with the entire body of the Irish population, and that in the end you will have gained nothing but an enormously greater crop of hatred and misery than even that which has been bequeathed to you by your predecessors.

MR. CHANCE (Kilkenny, S.): Let me draw attention to an additional point—namely, that under this clause when a Proclamation has once been issued, and an order made under it and signed, a particular association will become, *ipso facto*, an unlawful association and every member of it, although he may have done nothing more than become a member of the association, will be, *ipso facto*, a member of an unlawful association; and I know of no distinction between an unlawful association and a criminal combination or conspiracy. Consequently, this clause gives to the Lord Lieutenant the power of declaring that any individual who chooses to join an association in Ireland may by the mere fact of his membership be proceeded against as a person engaged in a criminal conspiracy. The Act of 1882 in section 9 declared that the members of an unlawful association were guilty of an offence; but it then went on to define that it must be an association formed for criminal purposes, leaving it to the Courts to affirm whether that was so or not. It was not left to the Lord Lieutenant to say whether it was a criminal association or not; but it was the duty of the Court to say whether a certain condition of crime applied to a particular individual brought before the Court. That is a very grave distinction. Here by the mere issue of the Proclamation, and the signing of the order, an individual becomes the member of an unlawful association guilty of the offence of criminal conspiracy. And although he may not have moved a finger, he becomes triable by a Court of Summary Jurisdiction for an offence under the present Bill, and with combined offences under the Whiteboy Acts. Although we were told that it was to be abandoned the penalty will really be cumulative. A dangerous association is to be a dangerous association for every purpose, and after a Proclamation has been issued every person who is declared to be a member of a dangerous association becomes guilty of an offence under the Whiteboy Acts, for which he may be punished by 5 years' penal servitude. The Act of 1882 laid down that before

the provisions of the Act were put in force, something equivalent to the reading of the Riot Act should have taken place, and until which no person should be held to have been guilty of an offence. There is consequently a grave distinction between the provisions of the Act of 1882 and of the present measure. In this case the Lord Lieutenant is to create a crime and then to declare that a man is a criminal without affording him an opportunity of altering his course. The Bill withdraws him from the ordinary Courts of the country, and gives the Lord Lieutenant an arbitrary power of dealing with the case. The Act of 1882 was bad enough; but it left it to the Courts to decide whether a man was guilty of a crime or not. Once the Proclamation is laid before the House, it is to continue to be valid for a certain period. And there is no machinery provided here even for securing the discussion of the Lord Lieutenant's Proclamation, or for compelling the House to take any notice of it, and it will be in the power of the Government to interpose other things which would effectually prevent the discussion of the matter. Probably, if the Amendment were carried it would not have much effect in the condition of things which is to exist after this Bill becomes law; but it would afford the House an opportunity of discussing the Proclamation before it is signed, although I admit that with the power of closure which the Government now possess, and which they have so freely exercised, the idea that any protracted discussion could arise upon the question is perfectly illusory. I hope the Committee will accept the Amendment.

DR. COMMINS (Roscommon, S.): There is one matter which arises upon this question which has hardly received sufficient notice. At the outset of the consideration of this Bill, it was repeated *ad nauseam* from the Treasury Bench that this measure created no new offence. The Chief Secretary has avowed now not only that it creates new offences, but that it enables the Lord Lieutenant to create any number of new offences which will be punishable under the Act. This very clause places in the hands of the Lord Lieutenant the power of creating a variety of new offences at his own will and pleasure, and it is now proposed that we are to be denied any control over his action. In the whole history of the jurisprudence of this country no more remarkable law has been enacted, nor has this House ever before parted with the power of creating new offences, or of adjudicating in regard to the punishment which is to be inflicted for such offences. In this Bill we not only part with the entire power of creating offences, but also with the power of inflicting punishment almost *ad infinitum*. Any Resident Magistrate will not only have the power of sentencing a man to six months' imprisonment for any particular offence, but there may be 20 offences charged, in regard to each of which the same sentence can be inflicted at the discretion of the Lord Lieutenant. And this power is to be given without any practical supervision on the part of this House. When the House is called together no onus will rest upon the Government to bring any Proclamation before Parliament. There is no provision whatever for the reconsideration of the Proclamation, and as long as the Government are sure of their majority they can do anything they like about the Proclamation, raining halters on the Irish people, and inflicting six months' imprisonment for every act they choose to call an offence. That is to be the case if Parliament is sitting; but, in the event of Parliament not sitting, there is no provision whatever for bringing the matter before the House. Suppose that one of these Proclamations had been issued now, what chance would any hon. Member have of securing a day for its discussion, even if he tried to do so by means of the Bill?

MR. O'DOHERTY (Donegal, N.): I only desire to draw two distinctions, which I think have not been drawn in the discussion which has taken place with regard to this clause. The practice of the House, in framing an Act of Parliament in which Rules are necessary, has always been this—Parliament makes the law, and it gives a prescribed authority to make Rules conformable to the law so made; but in all such cases there are two powers. In the first place, there is the power of Parliament to quash the Rules when they are laid on the Table of the House; and, in the second place, there always remains, in the Judges of the land, a power to declare that the Rules are *ultra vires*.

The distinction, in this case, is that the Lord Lieutenant makes the law as well as the rules. A totally different principle, therefore, arises, and a more imperative necessity exists for the Vote of this House in confirmation of the law, as well as of the Rules which may be made by the Lord Lieutenant. Therefore, I maintain that a clear distinction exists in the case of Rules passed by this House, and in a case where the law is made and the Rules put into force by a Member of the Executive in Ireland. But there is another distinction. It is the principle of the Constitution to provide Representatives in this House for localities. Each Member represents a particular locality, and it is his duty to look after that locality. It is his unquestionable right to be able to call attention to grievances affecting the locality he represents. If any locality is proclaimed in Ireland, he should be able to rise in this House and argue whether the Proclamation was right or not, and it should then be for the House to say whether a Proclamation affecting a particular locality is a matter that ought to be discussed and condemned, or discussed and modified. I entirely deny that anyone has as good a right to speak for a locality as the Member who represents it, and the right should be so preserved that the Member should be allowed freely to take advantage of the opportunity of calling attention to any injury his constituents may sustain owing to the issue of a Proclamation under this measure. If the Bill passes in its present form, the Lord Lieutenant and the officials of Dublin Castle will exercise a power equally as despotic as any which is now exercised by the Czar of Russia. For my part, I think it ought to be impossible for any of these laws to be made in Dublin Castle without Parliament having the power of reviewing, rescinding, or confirming them.

Question put.

The Committee *divided:*—Ayes 233; Noes 171: Majority 62.—(Div. List, No. 245.) [6.30 P.M.]

MR. MAURICE HEALY (Cork): I beg to move as an Amendment, in page 5, line 27, to leave out the words "within a period of fourteen days," so as to make it competent for an Address for the nullification of any special Proclamation under the clause to be moved at any time after it has been laid before Parliament. If the Amendment of the right hon. Member for East Wolverhampton had been accepted it would not have been necessary to move this Amendment; but, probably, it would have been a right and proper thing that the time should be limited within which the sanction of Parliament could be obtained. I very much regret that the Government have seen fit to take a different course. They have provided that it shall not be necessary for them to obtain the sanction of Parliament to a Proclamation issued by the Lord Lieutenant, and, therefore, I maintain that there should be no limit of time in regard to the right of Parliament to condemn or revoke a Proclamation. If it is to be in the power of Parliament at all to nullify a Proclamation, by presenting an Address to the Crown, there is no reason why that should not be done three months after the issue of a Proclamation, as well as a fortnight after. If the question is to rest on a Resolution to present an Address to Her Majesty, it cannot matter how long after the Proclamation has been issued that Resolution may be come to. We have already a precedent for this Amendment in the Bill itself. In a previous clause the Government consented to an Amendment moved by the right hon. Member for East Wolverhampton which provides, in Section 5, that in the case of certain Proclamations it shall be open to Parliament to nullify such Proclamations by an Address to Her Majesty. That being so, I see no reason whatever why a distinction should be drawn between a Proclamation under Section 5 and a Proclamation under Section 6. If it be a proper thing to nullify a Proclamation in the one case by a Resolution of this House, I submit that the same state of things should be enacted in reference to a Proclamation under this clause.

Amendment proposed, in page 5, line 27, to leave out the words "within a period of fourteen days."—(*Mr. Maurice Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): The Government are of opinion

that in giving 14 days, they have given quite sufficient time for hon. Members to move an Address, and within that period a decision ought to be come to. The decision which has just been arrived at by the Committee confirms the Government in the propriety of that course. It is perfectly clear that whatever the result of the issue of a Proclamation may be, the decision of the Lord Lieutenant, if it is to be discussed at all, should be discussed at once. It would be most unsatisfactory to have a Proclamation under which certain steps are to be taken hanging over for a lengthened period before the decision of the Lord Lieutenant can be pronounced to be final. It is clear, I think, that if the step is to be taken at all it should be taken with all reasonable expedition. In giving 14 days the Government think they are giving ample time for hon. Members of this and for Members of the other House of Parliament to make up their minds whether they will sanction the Proclamation or not. We are also of opinion that the Amendment put upon the Paper by the right hon. Member for East Wolverhampton —namely, that the period should be 30 days instead of 14 days, is one which we cannot accept.

MR. MAURICE HEALY: I will ask if the right hon. Gentleman is in Order? The Amendment before the Committee is not a proposal to extend the period to 30 days; but to leave out the limitation, as it now stands, in the Bill.

MR. HOLMES: I was only pointing out that the Government can neither accept 30 days nor six months. If the Proclamation is to be decided by the House the sooner a decision is arrived at the better. We think that if there is to be a Resolution of this House such Resolution ought to be moved at once. We cannot, therefore, accept the Amendment.

MR. O'DOHERTY: The right hon. and learned Gentleman seems to think that we are desirous of having a considerable interval between the Proclamation coming into effect and the discussion of it in this House, or rather, his argument dealt with the Amendment as if we proposed that for a considerable interval the Proclamation should be suspended. It is nothing of the sort, for the fact would be that the Proclamation would continue in force throughout the sitting of Parliament until it was revoked by a decision of the House. No doubt, it might require a considerable interval, because it would be necessary to inquire into the facts, and it is ridiculous to suppose that in every case that could be done within the limit of 14 days. For instance, the Representative of the locality might be attending to his duty in this House, and might know nothing of the facts, or he might be in gaol himself for an offence under some other provision of the Act. The arguments with which the right hon. and learned Gentleman has met the Amendment of my hon. Friend have altogether failed, and are not worthy of consideration. There are many reasons which would justify the Committee in saying that there were circumstances attending the issue of the Proclamation which would justify Parliament in withdrawing it.

MR. EDWARD HARRINGTON (Kerry, W.): What guarantee have we that the discussion will come on and be concluded within the 14 days, and that due time would be given to make provision for an Address to Her Majesty. It may so happen that the Member for the district proclaimed or affected by the Proclamation may be actually in gaol at the time—and this is not a matter of mere imagination in the case of an Irish Member. On the contrary, it has sometimes been a matter of everyday experience. It would seem that Her Majesty's Government will not pledge themselves to afford an opportunity for discussion in the House, and having taken up that position, they will not, as a matter of right, afford an opportunity for hon. Members to secure a discussion, unless they can bring it on within a limit of 14 days. It would be intelligible if it were put in this way—"If within 14 days after Parliament meets, such a Motion is not made" the time shall be extended, but it is too much to put on a limit of 14 days with the power in the hands of the Government of enforcing the clôture. It will be impossible in the teeth of a hostile majority to secure an opportunity for ourselves of bringing on a discussion. Therefore, the position of the Government is altogether illogical. I still think, notwithstanding what the right hon. Gentleman has said, that we should as the clause now stands be prevented from discussing the Proclamation,

It may be that we are wrong; but if we are wrong, it would not be too much to ask from the Government that they would in a few words set us right. I will put a case in point. Suppose that a special Proclamation is issued and that Parliament is convened for discussing that Proclamation; Parliament is master of its own time, and if it is convened ostensibly for that discussion, we, the Irish Members, have no power to force that discussion on the House. Suppose the discussion did not come on until the 14th day; what power have we to discuss the Proclamation then, or to close previous discussions so that it might be taken earlier? It is all very well to talk of the sense of the right of hon. Members opposite; but we should be unable to put an end to any discussion they might initiate with the object of preventing us from debating the Proclamation. What is to prevent them indulging in a conspiracy of talk as they have indulged in a conspiracy of silence, which they might carry on to the 15th day after the assembling of Parliament?

MR. MAURICE HEALY: The right hon. and learned Gentleman the Attorney General for Ireland, in replying on this Amendment, argued as if the real point was that the limit of 14 days in the Bill was insufficient for the purpose of an Address being presented. That, no doubt, is the meaning of the Amendment next on the Paper; but it is not mine. My point is, that there should be no limit of time in which an Address could be moved, and that is the view of the matter which I wanted to present to the Committee. I am sorry that the right hon. and learned Gentleman has not met this argument; because that would have been the proper way to deal with the Amendment. The right hon. and learned Gentleman did not attempt to deny that in a clause of the Bill which has been passed there is a distinct precedent for my proposal. I do not want, however, to go into that at length. My complaint is that the right hon. and learned Gentleman should have opposed the Amendment without for a moment adverting to the precedent which I ventured to put before him, and that he has not met my proposal on its merits. He has dealt with the Amendment as if the clause, instead of being drawn in its present form, were drawn in the form in which the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) attempted to put it when he moved the last Amendment. If the clause had taken that form, and made it incumbent on the Government themselves to obtain from the House of Commons an affirmative vote approving their Proclamation, then I concede at once that it would be most improper to limit the time during which that vote should be obtained. But the right hon. and learned Gentleman is not entitled to the benefit of that argument, from the fact that the Government has just refused to accept the Amendment of the right hon. Gentleman the Member for East Wolverhampton. Then, again, the right hon. and learned Attorney General for Ireland has attempted to deal with the Amendment as if under Clause 6 Parliament had presented an Address nullifying the Proclamation, and as if everything had been previously done in Committee in connection with Boycotting But that is not the effect of it. Even if an Address is moved in the House of Commons, yet according to the clause as it stands, everything that is intended to be done under the Proclamation will be done, because while it is in force it is valid, and no one can appeal from the action of the authorities. That being so, no one can say that the Executive or the Government would be in any way injured by waiting even an indefinite period before the Resolution is taken on the presentation of an Address; and even if three, six, or nine months elapsed, at the end of that time no one could take any action against the Executive in respect of what they had done, although they might have acted wrongly during that long interval. The right hon. and learned Gentleman is therefore not entitled to make use of any argument that could be drawn from the fact that the parties injured have a remedy against the Government; and for that reason I think the right hon. and learned Gentleman has entirely failed to answer the case I have put forward, and that, no matter what time had elapsed, the House of Commons should be able to Address Her Majesty for the purpose of having the Proclamation nullified.

MR. CLANCY (Dublin Co., N.): It seems to me this is a good example of the inveterate hostility of the Government to every Amendment proposed from these Benches, good or bad, rea-

sonable or unreasonable. We have here an Amendment of precisely the same character as that which has been inserted in a previous clause of the Bill. The Government accepted that Amendment because it came from another part of the House; now it will not accept a precisely similar Amendment from us.

Question put.

The Committee *divided*:—Ayes 200; Noes 124: Majority 76.—(Div. List, No. 246.) [7.10 P.M.]

MR. EDWARD HARRINGTON (Kerry, W.): As the hon. Gentleman the Member for Northampton is not in his place, I rise to move the Amendment which stands next in his name. I am bound to say that I am principally impelled to move that Amendment from the fact that we have not had any answer to the last Amendment. It is in the recollection of the Committee that the last discussion turned upon the point whether there should be a limit of 14 days or no limit at all, in respect of the time of moving for an Address. The present issue is kindred to that, but narrower, and it rests on the difference between 14 and 30 days. The principle which we want to assert is, that it shall not be possible by any trick or sleight that Parliament should shirk the discussion. The clause provides that unless an Address be presented within 14 days after the assembling of Parliament the Proclamation shall stand. That looks reasonable enough, but it is quite possible that on the first day of the Parliament a Member may move the adjournment of the House on a matter that has been arranged beforehand, and we might be unable to open the discussion on that day. And it must be borne in mind that the conception of this clause is that Parliament is called together after a lapse of time. There might be many matters of public importance to be discussed, and if hon. Gentlemen opposite should then throw off the cloud of silence that now overshadows them they might carry the discussion over the 14th day by some fluke, and the discussion on the Proclamation being prevented, the Proclamation would stand. Will the Government stand up and say whether they will insert a provision in the clause by which the discussion of the Proclamation shall be ensured. If there should be a special Proclamation affecting the constituency of North West Kerry, I should, as Member for that county, look upon myself as the most important Member of the House in that discussion, because I am, rightly or wrongly, the chosen Representative of that District; I ask whether you will leave it in the power of any Member of this House by any evasion to protract the proceedings in this House for 14 days, and so prevent me from drawing attention to a matter which affects my constituents? No doubt, everyone who speaks in this House supposes that every argument which he introduces in debate is conclusive, and it occurs to me that I have made out a strong case for this Amendment. I wish to draw attention to what was stated in this House the other evening. The right hon. Gentleman said that the Lord Lieutenant of Ireland is responsible to the majority in the House of Commons, and that if he does anything wrong that majority will call him to account. I must at the outset say that we attach more importance to the discussion of a matter in this House than to the vote which the House may give upon it afterwards. If I may for a moment refer to the discussion of last night, I should say that to our minds we had the victory, although the Vote was with the Government. So in the case of a Proclamation the Government may support the action of the Lord Lieutenant, they may vote us down at the end, but what we want is to exercise our right of discussion and place our claim together with the answer of the Government before the country. Now, is it attaching too much discredit to the present Government to say that it is quite possible for them to permit their supporters to prevent the discussion which we desire. We have seen, where an hon. Member has put a Motion on the Paper calling attention to jury-packing, the Government Members skedaddle from the House when the time for discussion came on; and do you not believe that hon. Gentlemen opposite would adopt similar tactics, and, in some way or other, consume the 14 days named in the clause? They may not give us an opportunity for bringing forward our Motion. What guarantee have we that hon. Gentlemen opposite—always political partizans of the Lord Lieutenant—will not continue the discussion on the matters taken first on the assembling of Parliament, beyond the 14 days prescribed?

Whereas, if the House came to the conclusion that the Lord Lieutenant had done wrong in the matter of a Proclamation, that very expression of opinion will be nullified by what has taken place. This argument seems to me to have some weight, and I should like, if right hon. Gentlemen opposite do not think it too much trouble, to hear some answer to the view which I have ventured to place before the House.

Amendment proposed, in page 5, line 27, leave out "fourteen" and insert "thirty."—(*Mr. Edward Harrington.*)

Question proposed, "That the word 'thirty' stand part of the Clause."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): With regard to the Amendment of the hon. Member, I am of opinion that it would rather have the effect of weakening the control of the House in this matter. The principle here is the same as that of the last Amendment, although the period is only extended for 30 days in place of the indefinite postponement proposed in the other case. I cannot help thinking that the proposal of the hon. Member would be entirely useless. It is not at all probable that the debate could be put off by the insertion of a dilatory Motion, as suggested by the hon. Member; whereas, on the other hand, the acceptance of the Amendment might have the effect of retarding the release of persons who, in the event of the House annulling the Proclamation, would have been released at an earlier date.

MR. MOLLOY (King's Co., Birr): The right hon. Gentleman the Chief Secretary for Ireland does not seem to me to understand the force of this Amendment. He says that the effect of it would be that if the Proclamation be not sanctioned by Parliament, a person imprisoned in consequence of the Proclamation would remain in prison for 30 days instead of 14, in the event of the Proclamation being annulled. The position in which we find ourselves is this—the space of 14 days may be too short to allow us to get up such evidence in the country as would enable us to put before the House a sound reason why the Proclamation should not be sanctioned by Parliament. I can only suppose that the Lord Lieutenant would have considered the question of proclaiming a district for a considerable period, and that he would have gathered evidence from various sources during the time; but the Proclamation would be sprung upon us, no notice whatever would be given by the Lord Lieutenant, and the first intimation of what has been done would be the announcement in *The Gazette*. I may illustrate my meaning by reference to a case which has recently occurred in the constituency I represent. There are two churches at the place I allude to, one of which is wrecked; the church was Protestant, and conducted on High Church principles. The Catholics there have met and passed a resolution expressing indignation at the outrage, and, together with the Protestant part of the community, are working to obtain evidence as to the perpetrators, who are known; but the evidence against them will, I believe, not be obtained for some time. Now, suppose a Proclamation has been issued. I, as the Member for the constituency concerned, come here and ask the House not to assent to the Proclamation; but it would be impossible for me—although I may be certain as to the facts—to lay the necessary evidence before the House at once, because time would be required to get it together. But there would be evidence that the church had been wrecked. I could not deny it, and I should very reasonably ask for an extension of time, say 10 days, for the purpose of obtaining the evidence necessary to support my case. Whether the time be 14 or 30 days, the Address can only be proposed on one occasion; and the only object sought is that those who have to make the Motion should have a sufficient time for the purpose of getting evidence. Can there be anything more reasonable than that? I presume you have fixed the period of 14 days without any particular reason, and it is purely a question now whether you consider that 14 days is sufficient in all circumstances, or whether that might not be insufficient in some cases, and that, therefore, the longer period of 30 days should not be inserted in the clause. Since this could not affect the Bill or the discussion in this House, surely the Government might fairly agree to the Amendment we propose. I am bound to say, in conclusion, that it appears to me that the right hon. Gentleman the Chief Secretary for Ireland has not given a

particle of sound reason against this Amendment.

MR. J. O'CONNOR (Tipperary, S.): The right hon. Gentleman the Chief Secretary for Ireland seems to attach no importance whatever to the time during which the Motion is to be made. Now, if the time be of no importance in this matter, why does he not put down seven instead of 14 days? If the argument holds good in respect of 30 and 14 days, seven days would have been equally admissible. Since the Committee has decided against the Amendment of the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler), there is nothing left to us but the chance of the ballot, and we all know what is the value of that in this case. When many Members are anxious to get their favourite subjects discussed, it is in the power of the Government so to obstruct our chance of getting discussion in this House, that the 14 days may very well elapse without any discussion taking place at all. But it is not only here that obstruction of what we desire to bring forward will take place; it is necessary, in order to lay a good case before the House, that we should set on foot in Ireland certain investigations. Now, it is in the power of the Lord Lieutenant to obstruct those investigations. We know, from experience of the operation of former Acts, that men in Ireland are almost afraid of their own shadows, and anyone that shows himself a sympathizer with our object will be struck at by means of this Act. Everyone who has evidence that would make good our case would be in fear of his liberty, and would hesitate to do what the case required. I am not now drawing on my imagination to make this statement; I remember the time when every man in Ireland was in this state of fear; I remember when two or three men could not meet in the street and speak together but they were joined by a policeman, who took part in the conversation, and if they said anything that aroused his suspicion they were put in prison. The same thing is likely to occur again; and in that way it will be very easy for the Government, if they do not desire to have the Proclamation discussed, to prevent our obtaining the evidence necessary to support our case. Time is, therefore, of the utmost value to us, and we hold that 14 days are insufficient to procure discussion in this House, taking into account the possible chance of the Government obstructing us. Therefore, we say that the Government ought to accept this Amendment. What difference can it make to the Government whether the time is 14 days or 30? Their Proclamation will remain in force all the time; people will have been arrested, brought before the Resident Magistrates, and committed to prison under the Summary Jurisdiction Clause. We have been told by the right hon. Gentleman the Chief Secretary for Ireland that all those who have suffered will be released if the Address is carried; but it is of more importance to us that we should have time to show this House and the world that an act of injustice has been done, than that a few individuals should be relieved from suffering the inconvenience of imprisonment, or that the magistrate should have the opportunity of putting them to the rack in a private investigation. If the Government will not give us this extension of time for the purpose of exposing the injustice that may be done, I think it a matter of very little importance whether we discuss the whole of the Amendments on the Paper or not to-night, and the closure may just as well come now as at 10 o'clock. I hold that reasons have been offered which ought to impress any Government composed of reasonable men the justice of the slight concession asked for; but they are deaf to all entreaties, and they pay no attention to any argument, no matter how cogent or earnestly urged it may be. I do not at all attempt to urge on the Government, with any hope of success, the reasons which we think ought to induce them to accept this Amendment; it is simply our duty to advance these arguments, and, having done so, we shall be satisfied with that, whether we go to a Division or not.

MR. CLANCY (Dublin Co., N.): I am afraid that the Government have not given the real reason why they will not accept this Amendment. Their real object is, no doubt, to avoid discussion. The right hon. Gentleman does not want to have discussion on his administration of this Act, whatever it may be. I do not suppose the New Rules which have been foreshadowed will be in operation next Session; but it is, at any rate,

quite possible, in my opinion, that some limitation of debate will take place by the application of the existing closure. There will, however, be considerable time at the beginning of the Session devoted to the debate on the Address, and the remainder of the 14 days may be occupied with much more important matter than the action of the Lord Lieutenant. The right hon. Gentleman the Chief Secretary for Ireland says we can shorten discussion on the previous questions, and if we do not get discussion it will be because we shall have prolonged debate on other matters. That is just what we were told last night with regard to the Land Bill, which, it was said, we were delaying by our protracted discussion of this Bill. It does not seem to enter into the head of the right hon. Gentleman that we attach more importance, as we do, to the proposed destruction of Irish liberties than even to the saving of the interests of one class in Ireland, urgently though those interests require to be safeguarded. The Coercion Bill is much more important than any Land Bill which the Government can introduce; and, therefore, it was absurd to say last night that we had prevented that Bill coming forward by protracting the debate on this Bill for the suppression of liberty in Ireland. Now, this may happen again; at the beginning of next Session we may have half-a-dozen or a score of these Proclamations before us; and a Minister may get up and tell us that if we discuss them we shall delay another Land Bill of the Government, and lose the benefit of some magnificent measure, which would at once solve the whole of the Agricultural Question in Ireland. The same arguments will be produced to shorten discussion as were used last night in reference to the debate on this Bill. Hon. Members will observe that by the wording of the clause two questions will arise. The question will be not only with regard to the circumstances under which the Proclamations were originally issued, but also as to the reasons why they should continue in force; and thus the time required for adequate discussion will not be brief in any single case. It seems, however, of very little use to discuss this question farther, for Gentlemen on the Treasury Bench are not only not listening, but ostentatiously paying no attention to what is addressed to them.

MR. EDWARD HARRINGTON: There is one point that we have omitted to bring forward—namely, that we may have an accumulated series of Proclamations to be discussed. When Parliament re-assembles, it may have 100 Proclamations to deal with. This will amount to a physical impossibility, and the difficulty is one which, as the clause now stands, I defy the Government to get out of. Besides this, the debate on the Address may be interrupted by a Motion for Urgency, or something of the kind, which would prevent the Proclamations being discussed. It is certainly not unreasonable, then, that we should ask for this extension of time. Granted we get an opportunity for the discussion of one Proclamation, suppose you proclaim the Moonlighters' Society in Kerry, and that at the same time you proclaim the Orange Society in the North of Ireland, and a branch of the National League that is particularly aggressive and obnoxious. Is it not reasonable to ask that when an opportunity is afforded for the discussion of of a Proclamation there should also be provision made for the taking of a vote of the House upon the Proclamation? I do not know whether, by dint of shouting, I could prevail on right hon. Gentlemen opposite to pay any attention; but what I notice is that they have made no provision by which the closure could be applied to the debates on the Proclamations under this section. Will the right hon. Gentleman the Chief Secretary for Ireland explain how the vote of this House is to be ensured at the end of 14 days? If he can tell me that, the present discussion will end. It is not, as I have said before, that we have any special predilection for 30 days as against 14 days. All we desire is that a Proclamation shall be brought before Parliament, and a vote of Parliament taken upon it. We cannot put in a Crimes Act a closure provision; for instance, we could not say — "Always provided that at 10 p.m. on the 14th day a Motion expressing approval or disapproval of such Proclamation shall be put from the Chair." Now, Sir, this is a common-sense proposal. I repeat that the 14th day practically means the 10th day. We have had experience of cases in which Addresses have gone over the 10th night, and I cannot help thinking that the right hon. Gentleman the Leader of

the House (Mr. W. H. Smith), who is such an adept at the use of the closure, will be fascinated by my proposal. What I am suggesting is really that the closure should be introduced into this Crimes Act — an Act abrogating the liberties of the Irish people. Will the right hon. Gentleman, or any other Member of the Government, give us an assurance that there shall always be, on the 14th day, either the application of the closure, or an effort made on the part of the Government of the day to bring about a vote upon the Proclamation under review? If the Government will not do that, we have only to fall back on the old position; it is a weak position numerically, but a very strong position morally. It is that the Government see before them a clear case made out, and yet, for fear that they may be suspected of yielding to the Irish Members, who are guilty of the monstrosity of representing a majority of their countrymen, they will not give way. We have put forward a very strong case, and the Government have practically no answer. If they do not give way in this matter their position is perfectly illogical.

Question put, and *agreed to.*

MR. CHANCE (Kilkenny, S.): I notice, from the 3rd sub-section, as it is at present drawn, that if a Proclamation is laid before the House of Commons the day before the House is prorogued or dissolved, we would have only one working day on which to discuss its merits; there would really be 13 blind days during which it would be impossible for us to do anything at all in regard to the Proclamation. I therefore beg to move to insert, after the word "days," in line 27, the words "or the next ten Sittings of the House of Commons, whichever shall be longer, next." I presume this Amendment will be accepted by the Government, as it is unquestionably a most reasonable one. If we are to get 14 days, they ought to be 14 effective days, and not one effective day and 13 blind days, which would be the case, as I have already shown, if the Proclamation were only laid upon the Table of the House of Commons the day previous to the Prorogation or Dissolution.

THE CHAIRMAN: I may say, in reference to this Amendment, that I understand that the Common Law of Parliament, acted upon so recently as the end of last Session, provides that when a Paper is laid before Parliament in respect of which action must be taken within a certain time, and that time has not elapsed when the Session expires, the Paper must be re-presented at the beginning of the next Sitting.

MR. CHANCE: May I be allowed to point out to you, Sir, that the decisions to which you refer were under circumstances which required action to be taken? It was the duty of Parliament to take action upon certain Returns presented to the House.

THE CHAIRMAN: I was referring to the case in which there was power on the part of the House to present an Address against an education scheme under the Endowed Schools Act.

MR. FINLAY (Inverness, &c.): Is it not a fact, Sir, that an education scheme becomes effective when it has been laid on the Table of the House for 60 days, unless an Address is presented against it?

MR. CHANCE: There, you see, a longer period elapsed in case the House took no action; but in the case of a Proclamation under this Act only 14 days are allowed. Of course, Mr. Courtney, I am in the hands of the Committee; but I should like to hear what the hon. and learned Attorney General (Sir Richard Webster) has to say upon this Amendment.

Amendment proposed, in page 5, line 17, after "days," insert "or the next ten Sittings of the House of Commons which ever shall be longer, next."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I think, Sir, the dangers the hon. Gentleman wishes to guard against are illusory. The danger we wish to guard against is not illusory. It is the danger that you may be extending the time in which a Proclamation may lie on the Table of the House, and run the risk of keeping people unnecessarily in prison at hard labour, under the Proclamation. I do not think —and I am sure my right hon. Friend the Leader of the House (Mr. W. H. Smith) will bear me out—when I say that no responsible Government would or could refuse legitimate time for the

discussion of a Proclamation of this kind, considering that Parliament has expressed in this Act its view of the solemnity of the occasion by introducing words of the kind which are introduced in this Act. I therefore hope the hon. Gentleman will not press the Amendment, which I really think is not required to carry out his object, an object with which I entirely sympathize.

MR. CHANCE: May I point out that I am not wedded to 10 Sittings; I would say eight Sittings for the matter of that. I merely desire we should have some effective Parliamentary time during which to discuss the merits of a Proclamation. When I look at the 4th subsection I find Prorogation days are dealt with specifically, and it therefore seems to me that it might be argued that the ordinary doctrine as to the re-presenting Papers would not hold good in such a case as this. For that reason I should very much like that some words should be inserted.

MR. A. J. BALFOUR: Well, I will inquire into the action of the law of Parliament in the matter, and if I find it is possible that the Government could be so extraordinarily ill-advised as to summon Parliament to issue a Proclamation for a particular purpose, and then within 24 hours prorogue it, I will do what I can to meet the views of the hon. Gentleman.

MR. CHANCE: This 3rd sub-section does not deal with Proclamations for which Parliament is to be called together. It deals with Proclamations which are laid before the House, already sitting for other Business. It might be necessary, having first declared you will prorogue Parliament on a certain day, to lay a Proclamation on the Table, three, or two, or even a day before Parliament disperses. It is not then an easy matter even for the Leader of the House to give the House an opportunity of dealing with such Proclamations. Parliamentary control will disappear wholly after the lapse of 14 days, 13 days of which may have been wholly ineffective or useless.

MR. A. J. BALFOUR: If the danger which the hon. Gentleman seems to apprehend is possible I undertake that the section shall be remedied on Report.

MR. MAURICE HEALY: There is another point in relation to this matter which I think it right to raise. Though the law of Parliament would compel the Government to present their Proclamation a second time, that fact would not at all give the vote of this House afterwards the validity it would possess if the vote were given within 14 days.

THE CHAIRMAN: The express purpose of that law is that the vote of the House shall be given.

MR. MAURICE HEALY: May I state that if this House passes an Act of Parliament saying that a particular act must be done within 14 days, a Court of Law would not decide that the act would be valid if it was done 40 days afterwards?

MR. CHANCE: I beg to ask the leave of the Committee to withdraw my Amendment; but I must remark that the doctrine as to presenting a Proclamation a second time seems an exceedingly doubtful one, taking in view the express words of the Statute. I do not see what benefit it would be for the persons who have been imprisoned, if the Proclamation were presented a second time, after the lapse of three, four, or six months.

Amendment, by leave, *withdrawn*.

MR. MAURICE HEALY (Cork): The particular point which I wish to raise, Mr. Courtney, is that instead of enacting, as the clause does, that the Address of either House of Parliament will nullify a Proclamation, that power should be limited to an Address of the Commons House of Parliament. I may say at once I move this Amendment chiefly in consequence of a passage which appeared in a public letter which attracted some attention, written by Sir George Trevelyan. In that letter Sir George Trevelyan stated that in his view this power of reserving to either branch of the Legislature the abrogation of the Proclamation by voting an Address was practically inserted in the Bill for the purpose of protecting the Orange Society in case any future Government of a different political tinge to that now existing in Ireland should think fit to proclaim the Orange Society. I am perfectly cognizant of the fact that hitherto it has been the practice of Parliament to vest in either House of Parliament the power of presenting an Address to Her Majesty on any particular point; but, Sir, I make no apology for asking this House to depart from that well-estab-

lished precedent in this instance. I move this Amendment because, in my judgment, the circumstances of the case, as they will exist in Ireland when these Proclamations shall be lawful, require that the power of abrogating a Proclamation should be vested solely in the House of Commons. I think the circumstances require it for the purpose of placing both political Parties in Ireland on an equality in regard to Proclamations. If the clause is to pass as it stands at present I do not think that the political Parties in Ireland will be upon an equality. Now, it is well known that at present our Party in Ireland has its own organization. The Nationalists have their organization, which is commonly called the National League, and the Orangemen have their organization. Now, the Government take power in this Bill to suppress associations. They take general power which we know they will only exercise for one purpose—namely, the suppression of the National League. Now, the fact is present in the minds of the Government that it is necessary to give this power in a general form, and that in consequence of the general form it is possible that some succeeding Government, not viewing political questions from the standpoint they view them, may use the power to strike at the Party Gentlemen opposite consider to be their friends; consequently they protect themselves, as I say, by retaining in the other branch of the Legislature the power of nullifying the possible action of a succeeding Government by presenting an Address to Her Majesty declaring that a Proclamation suppressing, we will say, the Orange Society, is an improper Proclamation. I do not think that is fair; it puts one Party in Ireland in a more favourable position than the other. If this power is to exist it should exist for both Parties alike; but I say it will not so exist as long as one branch of the Legislature has vested in it the power of nullifying the act of a Government of a different political tinge to itself. Now, it may be said that what you give to one branch of the Legislature it is only fair to give to the other branch; but permit me to point out that while the Commons House of Parliament, to which we belong, from time to time varies in its composition—this branch of the Legislature is liable to be revolutionized in its composition at every General Election—we know that such is not the case in respect to the other branch of the Legislature. The House of Lords does not undergo the same reconstitution as this House does; there is little change in its composition. In practice a Tory majority has existed in "another place" for a very long time; and, as far as we can see, such a majority is likely to be found there indefinitely. That being so, I do not think the two Houses stand on exactly the same footing, so far as the exercise of the power of this sub-section goes. Now, Sir, I do not know whether it would be in Order, on an Amendment which raises the question of the composition of the other House of the Legislature, to discuss the general attitude of that House. It is not my intention to discuss the attitude of the House of Lords; but I think, at any rate, I may be allowed to say that our own experience for many years past has been that the House of Lords look on Irish questions in a manner which, at any rate, the majority of the people of Ireland regard as a manner hostile to them. The people I and my Colleagues represent entertain, very naturally, the apprehension that the other branch of Legislature would not exercise the power conferred upon them by this section in a manner which would be fair from the point of view of the Nationalist Party of Ireland. That being so, I ask that on this occasion, in respect to this exceptional measure, we should depart from precedent. I beg to move the Amendment which stands in my name.

Amendment proposed, in page 5, line 29, to leave out "either," and insert "the Commons."—(*Mr. Maurice Healy.*)

Question proposed, "That the word 'either' stand part of the Clause."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I quite agree with the hon. Member for Cork (Mr. Maurice Healy) that this is an exceedingly important question; and I do not, for one moment, say he has occupied too much time in introducing it. At the same time, let me point out why it is not possible for Her Majesty's Government to accept the Amendment. The hon. Gentleman has pointed out, perfectly accurately, that it would be a departure from precedent to lay down the rule that one House of

Parliament, as distinguished from the other, should have a preference in such matters as this. The Bill has gone further than is usual in this direction, because hitherto, in similar cases, Addresses have been required from both Houses of Parliament. I am aware hon. Members below the Gangway opposite decline to give us credit for any good intentions in introducing this Bill; but I assert that the object of framing the clause in its present form was that a future majority of the House of Commons, should it not agree with the policy of any previous Government, might be able to nullify a Proclamation. Now, the hon. Member says we cannot trust the House of Lords —that the Tory majority in the House of Lords has for a long time, by its policy, shown itself to be hostile to the wishes of the Party to which he belongs —and that, therefore, he and his hon. Friends cannot agree to this power being placed in the hands of the Upper House. We cannot, in the present condition of matters, recognize that it would be a right thing to draw a distinction between the House of Commons and the House of Lords in this respect. At present both Houses are branches of the Legislature; but I dare say it will not be long before some Motion is made in this House to curtail the powers of "another place." As long as the House of Lords forms part of the Constitution we must recognize its rights. The argument which the hon. Member (Mr. Maurice Healy) advances is this—that the House of Lords is actuated by such motives that it would not deal fairly with a Proclamation relating to the Orange Association. I ask the hon. Gentleman seriously if he really means to suggest that if the association is of such a character as to come under the Sub-heads A, B, C, D, and E—[MR. MAURICE HEALY: Yes; E.] —I take any one of the sub-heads—if, as I assume, the association is of a character as to be dangerous——

MR. MAURICE HEALY: You cannot assume that.

SIR RICHARD WEBSTER: The hypothesis on which this Amendment is proposed is that there is to be power vested in one House of Parliament to present an Address to the Crown, and thereby bring to an end a special Proclamation. The argument of the hon. Gentleman is that, however bad an association may be, if it is connected with the Orange Party the House of Lords will not approve of its proclamation—that unless the Irish party have a majority in the House of Commons there is no means of securing the proclamation of the Orange Association, even if there is ground for its proclamation. We cannot recognize that principle. We believe that as long as the House of Lords have the power of presenting Addresses we ought to give them the credit of doing their duty. We say it would not be a proper thing, and this would not be the proper time, to draw a distinction between one House and the other. If an association is one which ought to be suppressed we believe the House of Lords will sanction its suppression. One word more upon the question from a practical point of view. Just consider for a moment what the position will be; if the Nationalist Party object to a Proclamation and have a majority in the House of Commons, why then they can of course, by an adverse vote, turn out the Government of the day, and there would be no difficulty whatever in getting an Address presented which would put an end to the Proclamation to which objection is taken. Under the present circumstances, we feel it our duty to give the same rights to the House of Lords as we give to the House of Commons.

MR. O'DOHERTY (Donegal, N.): The House of Lords has always been regarded as the guardian of property, and this House has always been considered as the guardian, so far as England is concerned, of the liberty of the subject. Now, suppose that in the Bill which we hear is in "another place" there was provided, not that oppressive and tyrannical power should be exercised on the Proclamation of the Lord Lieutenant of Ireland, but that the Lord Lieutenant should declare, under certain circumstances, that the exaction of rent in Ireland should be stopped. I assume that you would not, preliminary to passing such a power, dream of giving the House of Lords power to veto the action of the Lord Lieutenant. In this matter the House of Commons are placing in the hands of the one man, the Lord Lieutenant, certain tyrannical and oppressive powers. These powers are delegated by this House, and not by the House of Lords. This House, therefore, should

retain the power of putting an end to the powers. There is a clear distinction between the two Houses in this matter. If the hon. and learned Gentleman the Attorney General (Sir Richard Webster) agrees with me that it would be absurd to give the House of Lords the power of vetoing such a provision in the Land Bill as I have sketched, he will certainly agree with me that it is equally absurd to give them the power of nullifying a Proclamation by presenting an Address to the Crown. The hon. and learned Attorney General says we may have a majority in this House. We may have a majority for a particular purpose, but we may not have a majority which will unite in giving a vote which will have the effect of turning out a Government. No doubt my hon. Friend the Member for Cork (Mr. Maurice Healy) proposes a great departure from precedent; but then it has been well pointed out that this is exceptional legislation.

MR. CLANCY (Dublin Co., N.): The hon. and learned Attorney General (Sir Richard Webster) concluded his speech with a very clear truism. He said that when we were in a majority in this House no injustice will be done to us. Certainly, it is not the proclamation of the National League we shall be discussing then. Of that I assure the hon. and learned Gentleman. It will not be a mere question of the proclamation of this or that branch of the National League we shall be discussing, but probably a very large measure of Home Rule, which will render altogether unnecessary any proclamation of the kind contemplated now. I object to this power being entrusted to the House of Lords, for two reasons. First of all, I object to the mockery of imagining for one moment that the House of Lords will ever condemn any Government for suppressing any branch of the National League. To ask us to believe that the House of Lords, under any circumstances whatever, unless, indeed, in the impossible contingency of the leopard changing his spots—to ask us to imagine the House of Lords under any circumstances will ever condemn the suppression of the National League in Ireland, or of any other popular organization, is to ask us to believe too much. I object to a mockery of that kind being put into the Bill. It is much better that we should be straightforward. We do not believe the House of Lords will ever do anything of the sort; and, therefore, what is the use of asking us, or the outside public, to believe that it will? It is equally a mockery to ask us to believe the House of Lords will ever approve of any Government which condemns the Orange Organization. The hon. and learned Attorney General expresses some surprise at our imagining for a moment that if the Orange Association come under any one of the five descriptions of a dangerous association in this Bill the House of Lords would not condemn it. Well, Sir, we have to judge from experience, and we know that although the history of the Orange Organization, in the words of an Irish Judge, has been like a streak of blood across the pages of the history of Ireland—although the record of the Orange Association is stained with blood in almost every period of its existence—I defy the hon. and learned Attorney General or any other Member of this House, or any gentleman outside the House, to put a finger upon a single act, or word, of the House of Lords condemning the Orange Association. Why, Sir, I do not believe the hon. Member for South Belfast (Mr. Johnston) will deny that the most monstrous deeds have been done by the Orange Association. [MR. JOHNSTON: Rubbish.] I did not think the hon. Gentleman would fly in the face of history, and of Reports of Commissions appointed by his own Party; but of course anything is possible in the case of some hon. Gentlemen. But what I was saying is this, that the Orange Association at various periods of its history has left behind it a record of the most horrible deeds; it has committed outrages of the most atrocious description, and yet on no occasion has the House of Lords, though one or two of its Members may have done so, ever pronounced a censure upon the Orange Association. Well, I do not believe that the leopard is going to change his spots. I do not believe the House of Lords, which has hitherto preserved a certain attitude with regard to the Orange Society, will take up any other attitude. Just imagine the mockery of asking us to believe the House of Lords will ever take notice of outrages which may be perpetrated by the Emergency Associations of Ireland. There are three or four landlord associa-

tions in Ireland at the present time, and if we had a sympathetic Government in power, if we had a Government in power which would put into force impartially the 1st section of this Act, I am perfectly certain it would be found that a good many outrages perpetrated in recent years could be traced to the Emergency Association, and could be traced to the other associations organized for the special purpose of preserving the rights of property in Ireland. Just imagine the House of Lords, many of the leading Members of which have taken part in organizing these associations, ever thinking it their duty to pass a censure upon any Government for suppressing these property defence associations. Such a thing will never take place, and it is a perfect mockery to ask us to believe it ever will. The hon. and learned Gentleman the Attorney General spoke of the time when we would be in power. When we are in power we shall be able to take care of ourselves, and we will not ask the aid of this House, or of the hon. and learned Gentleman, or of the Party to which he belongs. Our precautions are at present intended for the present time, and for such future time as may run until we are in power. It is for that period, and not for the other and more happy period, to which the hon. and learned Gentleman directed our attention, that we seek to surround this Bill with safeguards. The hon. and learned Attorney General said that the Amendment contained an exceptional provision; but my hon. Friend the Member for North Donegal (Mr. O'Doherty) answered the hon. and learned Gentleman on that point, when he pointed out that the entire provisions of this Bill are exceptional. This is an exceptional measure. From beginning to end it is exceptional legislation; and, therefore, to meet this Amendment by saying it contains an exceptional provision is really trifling with the intelligence of hon. Members of this House. The Amendment is really an important one. It puts the two political organizations on an equality. If you do not adopt it, the National League, the popular organization, and all kindred associations will be suppressed. The Orange Society, with the hon. Member for South Belfast (Mr. Johnston) at the head of it, will be triumphant. No power will be allowed by the Government to come between the hon. Member and victory. What we ask is, that even under this Coercion Act something like an appearance of equality, something like an appearance of impartiality, be given to the proceedings of the Government. If this is not so, it will be a bad thing for the Government, and even for the Orange Society.

MR. JOHNSTON (Belfast, S.): As I have been so pointedly alluded to by the hon. Gentleman the Member for North Dublin (Mr. Clancy), I must ask the indulgence of the Committee for a few minutes. Reference has been made to the Orange Association, with which I am proud to be intimately connected. If the Orange Association comes under any of the provisions of the clause now being discussed—if it is a dangerous association, if any of its members conspire against the Government of the country, or disturb the peace of the country.

MR. CLANCY: It killed a policeman and a soldier, amongst a number of others, in the single town of Belfast last summer.

MR. JOHNSTON: If it in any way interfered with the civil or religious rights of any portion of Her Majesty's subjects, I, for one, would cease all connection with the Orange Society. But the association is distinctly of a loyal character. Its object is the maintenance of the Protestant Constitution of this Kingdom ——

THE CHAIRMAN: Order, order! The hon. Member having repudiated the accusation brought against the Orange Society, this discussion ought to close.

Question put, and *agreed to*.

MR. CHANCE (Kilkenny, S.): I beg to move, in line 26, to leave out the words "any such Proclamation shall be deemed to have expired," in order to insert—

"As to an association or associations named or described therein, such special Proclamation shall be deemed null and void, so far as the same relates to such association or associations,"

which will make the clause read thus—

"As to an association or associations named or described therein, such special Proclamation shall be deemed null and void, so far as relates to such association or associations, if within a period of 14 days after the same has been laid before Parliament an Address has been presented to Her Majesty by either House of Parliament praying that such special Proclamation shall not continue in force."

Amendment proposed, in page 5, line 26, to leave out the words "any such Proclamation shall be deemed to have expired."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. WHITLEY (Liverpool, Everton): I think the Amendment the hon. Member proposes is entirely inconsistent with the Bill, or with those parts of it already agreed to, and I cannot conceive why the hon. Member should propose it.

MR. T. M. HEALY (Longford, N.): Why do you not move a "count?"

MR. WHITLEY: The Amendment will interfere with the Bill as already passed, and will cause a great deal of difficulty. I feel that the Amendment is one which ought not to have been proposed in the absence of any Member of the Government; and it is one which I think it would be quite impossible for us to accept. I cannot help feeling that the hon. Member has taken advantage of all the Members of the Government being away in order to propose an Amendment which is destructive of the provisions of the Bill, and which would cause a great deal of difficulty. I cannot help thinking, therefore, that the hon. Member would do well not to proceed with his Amendment. If he had waited for an expression of opinion from the Government — [The Chief Secretary for Ireland here entered the House]. I am glad to see the right hon. Gentleman the Chief Secretary come in. I am quite sure he will be able to express the view of the Government with regard to this Amendment, which I think is entirely inconsistent with the provisions of the Bill, and calculated to cause a great deal of difficulty.

MR. T. M. HEALY: I think the hon. Member for the Everton Division of Liverpool deserves the thanks of the right hon. Gentleman the Chief Secretary—which, by the way, I notice that the right hon. Gentleman gave him—for the gallant manner in which he held the fort in the absence of the Government. I do not know whether the hon. and learned Attorney General (Sir Richard Webster) has consulted the right hon. Gentleman as to what the effect of this Amendment would be; but I have no doubt that if he has thus consulted the hon. and learned Attorney General, he will not find it necessary to interpose upon this point. I will point out that if this Amendment is not put in the clause will be absolute nonsense. The Amendment is consequent upon the Amendment which has been accepted by the right hon. and learned Attorney General for Ireland (Mr. Holmes); and, as I say, unless it is accepted, the clause will be nonsense. I am sure it will not at all add to the dignity of the procedure of this Assembly if we are not only to have absolute clôture at 10 o'clock, but are to be asked here to pass the clauses of the Bill in a state of what a printer would call "pie."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I think the hon. and learned Gentleman opposite (Mr. T. M. Healy) might have spared the hon. Member behind me (Mr. Whitley) any sarcastic remarks because the Government was absent from the House whilst the hon. Member was speaking. I was for the moment detained, and did not take my place on the Treasury Bench. I quite agree that this Amendment is a consequential Amendment upon that moved by the hon. and learned Member for Inverness (Mr. Finlay). I think, however, that the words have been slightly altered; and I would ask whether there is any reason for not following the Amendment put down? I understand, as you read it, Sir, that the hon. Member proposes to insert the words "null and void;" but I think the Amendment ought to stand as it is on the Paper, otherwise the validity of acts done under the Proclamation as originally issued will depend upon the action taken by Parliament.

MR. CHANCE: I am bound to give an explanation of the alteration that occurs in my Amendment, and it is a very simple one. When I first put my Amendment on the Paper, it was to leave out the words—"Any such special Proclamation shall be deemed to have expired," in order to insert the words I have read. I had not seen the Amendment of my hon. Friend the Member for Cork (Mr. Maurice Healy), No. 35b. I had proposed to amend the earlier part of the clause by omitting the words "deemed to have expired" in the first line, in order to insert the words "null and void," but the acceptance of my first

Amendment would render that out of Order. My hon. Friend's Amendment would be out of Order; therefore, in order that the same point might be raised here I felt bound to propose my Amendment in an altered form, so that my hon. Friend the Member for Cork might have an opportunity of putting his case before the Committee. I desire to put in the words "null and void," because I consider that if the control of Parliament with regard to these special Proclamations is to be an effective control, it should be a control *ab initio*, and not a control under which certain persons might be imprisoned 14 or 21 days with perfect legality, and then at the end of that time find their imprisonment illegal.

SIR RICHARD WEBSTER: I shall have to propose as an Amendment on the proposed Amendment, that the words "null and void" be left out.

THE CHAIRMAN: In the Amendment as now submitted the words "null and void" I hold to be inconsistent with the decision the Committee has already arrived at. The Proclamations will be legal as of course when issued. The Amendment of the hon. Member for Cork has, in effect, been rejected by the Committee.

MR. CHANCE: On the point of Order, I would submit that the previous question was perfectly distinct and separate from this which we are now discussing. This is the first time we have raised this question of Parliamentary control. The prior effect of the status of the Proclamation is one question, and the question of the status of the Proclamation after it has passed through this House is another thing. However, it is idle to fight against big battalions, and if the Government insist upon altering my Amendment it is only for me to submit gracefully. I will accept your ruling, Sir, and move the Amendment in its original form.

THE CHAIRMAN: According to my ruling the Amendment will not stand in its original form, and it will be taken as if the words "null and void" were not in the proposal.

Question put, and *agreed to.*

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I now accept the words the hon. Member opposite (Mr. Chance) has put upon the Paper.

Amendment proposed,

To insert the words "As to an association or associations named or described therein, such special Proclamation shall be deemed to have expired so far as the same relates to such association or associations."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

MR. T. M. HEALY (Longford, N.): I should like to ask a question as to the words "expire" and "null and void." As I understand it, if an illegal act on the part of the Lord Lieutenant takes place—if he issues a Proclamation and uses force, and Parliament does not approve of his conduct—if you only use the words "shall be deemed to have expired" the Court will hold that the Lord Lieutenant's action has only "expired," and they will hold him justifiable in what he has done, although they may disapprove of it. The curious result is that you will have made the Lord Lieutenant's action legislative action. If, however, you use the words "null and void"——

THE CHAIRMAN: I must point out to the hon. and learned Member that his argument would have been a good one at an earlier stage of the proceedings, but that it is impossible to submit it now in consequence of the ruling I have given.

Question put, and *agreed to.*

MR. CHANCE (Kilkenny, S.): I feel bound to move the Amendment which stands in the name of the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler), since he is not in his place to do so himself—namely, in line 32, to leave out the following words: "be then separated by such adjournment or prorogation as will not expire within 21 days," in order to insert the words "is not sitting." The effect of that would be that the sub-section would read thus—

"Whenever any special Proclamation is issued under this Act, if Parliament is not sitting, such special Proclamation shall be deemed to have expired at the end of a week from the date thereof, unless during that week Parliament shall be summoned to meet within 20 days from the date of the summons."

As the clause stands it is absolute nonsense, because you say in Sub-section 4 that if Parliament is separated by an adjournment that will not expire within 20 days, when a special Proclamation is

issued such special Proclamation shall be deemed to have expired at the end of a week, unless during that week Parliament shall be summoned; and in the previous sub-section you have stated that the Proclamation shall be deemed to have expired if within a period of 14 days an Address is presented to Her Majesty praying that the Proclamation shall not continue in force. You limit the period there to 14 days, and yet, further on, you allow 20 days. I would point out that all Proclamations issued or signed 15, 16, 17, 18, or 19 days before the next meeting of Parliament would have no clause at all to come under. That position I take to be absolutely untenable, and I feel sure the Government will not persist in leaving a large class of Proclamations beyond the control of this section.

Amendment proposed, in page 5, line 32, leave out from "Parliament" to "such" in line 33, and insert "is not sitting."—(*Mr. Chance.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): As I understand it, the object of the hon. Member is to provide that a special Proclamation should expire unless the House determines within 14 days that it should continue. In Sub-section 3 we deal with a period of 14 days, allowing that time for an Address to be moved after the Proclamation has been laid before Parliament; but under Section 4 we make arrangements for Parliament to meet in order that, if necessary, an Address may be presented. A Proclamation issued 15 or 16 days before the meeting of Parliament can be decided upon by an Address moved within 14 days after the meeting of Parliament.

MR. CHANCE: My point is, that Proclamations issued 15 or 16, 17, 18 or 19 days before the meeting of Parliament, and before an Address is presented, will have no clause to govern them.

SIR RICHARD WEBSTER: I do not agree with the hon. Member. Sub-section 4 only deals with the period of adjournment or prorogation. Parliament can be called to meet within 20 days, and at any time within 14 days of its meeting an Address can be moved.

MR. CHANCE: Might I point out that my point is covered by the last two lines of Sub-section 4, "unless during that week Parliament shall be summoned to meet within 20 days from the date of summons." They limit the clause to all cases in respect of which Parliament shall meet within 20 days. If Parliament has already been summoned to meet within 20 days it will be idle to issue a fresh summons to cover other cases; therefore, the first words are absolutely unnecessary and meaningless.

Question put, and *agreed to.*

MR. T. M. HEALY (Longford, N.): I beg to move the Amendment in the name of the hon. Member for Cork (Mr. Maurice Healy) in line 33, after "days," to insert "or if Parliament be then separated by a prorogation which will expire within twenty days, and is re-prorogued without meeting." I should like to know exactly what the Government mean by the sub-section as it stands, as it appears to me altogether unintelligible. I altogether fail to understand the position taken up by the Government, and I move this Amendment in order to give them an opportunity of stating what their position is. What do they mean by the words "such adjournment?"

Amendment proposed, in page 5, line 33, after "days," insert "or if Parliament be then separated by a prorogation which will expire within twenty days, and is re-prorogued without meeting."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): If the hon. Member only desires to have an explanation of Section 4, I can only say that it seems to me perfectly clear. Unless the hon. Member desires to raise a question as to the Proclamation, I do not think there would be any use in moving this Amendment. The right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) admitted that there was force in an objection taken by one of the hon. Members below the Gangway, that it was possible that a Proclamation might be issued three or four days before the meeting of Parliament. We will undertake to look

into this matter. There is, therefore, I think, no necessity for this Amendment.

MR. T. M. HEALY: Will the hon. and learned Member explain the words of the section? What is the meaning of saying "be then separated by such adjournment or prorogation?" I have been worrying over them for the last five minutes. What will be the adjournment or prorogation which will not "expire within twenty days?"

SIR RICHARD WEBSTER: It is governed by the word "such," which is perfectly right. The adjournment meant is one which will not expire within 20 days.

Amendment, by leave, *withdrawn.*

MR. T. M. HEALY (Longford, N.): By way of giving the Government an opportunity of making some concession in this remarkable Bill, I will move to leave out the word "such."

Amendment proposed, in page 5, line 33, leave out the word "such" in order to insert the word "any."—(*Mr. T. M. Healy.*)

Question proposed, "That the word 'such' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): Surely the hon. and learned Gentleman will see that the word "such" here has precisely the meaning which has been pointed out by my hon. and learned Friend the Attorney General (Sir Richard Webster). I will ask any hon. Member to read Section 4, and to say whether any objection can be taken to this word. It really seems to me that proposals of this kind are calculated to delay the proceedings of the Committee.

MR. T. M. HEALY: If the right hon. and learned Gentleman wanted a good example of the way in which delay is sometimes caused in this House, he could not have found a better one than in the speech of the hon. Member for Liverpool (Mr. Whitley) delivered not very long ago. The hon. Member kept the floor whilst Members of Her Majesty's Government were eating their dinner, probably in the hope of being made a Baronet. I maintain that nobody but a Government draftsman would have used such a word as this I am objecting to. The right hon. and learned Attorney General for Ireland (Mr. Holmes) seems to think that any word is good enough for an Act of Parliament.

THE CHAIRMAN: Order! The Amendment in the name of the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) was to leave out words in which this word "such" occurred. That Amendment was negatived, and the words were retained, and so the Amendment now moved is out of Order.

MR. FINLAY (Inverness, &c.): I beg to move, in line 37, to leave out the words, "enactments of this Act, thereby declared be in force, so far as they relate to dangerous associations," in order to insert "powers conferred by the 7th section of this Act." This Amendment is in order to bring line 37, and the succeeding lines, in harmony with an alteration made in the earlier part of the clause.

MR. CHANCE (Kilkenny, S.): I do not quite understand where this Amendment comes in.

THE CHAIRMAN: Amendment No. 51 is now under consideration.

MR. CHANCE: Have we discussed Amendment No. 50?

THE CHAIRMAN: It is out of Order.

Amendment proposed, in page 5, line 37, leave out from "enactments" to "associations" in line 39, inclusive, and insert "powers conferred by the seventh section of this Act."—(*Mr. Finlay.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Question, "That those words be there inserted," put, and *agreed to.*

MR. CHANCE (Kilkenny, S.): I would move to insert, after the last Amendment, the words, "in respect of the association or associations as to which the special Proclamation has expired or been revoked."

Amendment proposed,

To insert, after the last Amendment, the words "in respect of the association or associations as to which the special Proclamation has expired or been revoked."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I agree to that.

Question put, and *agreed to.*

[*Nineteenth Night.*]

MR. T. M. HEALY (Longford, N.): On behalf of my hon. Friend the Member for North Sligo (Mr. P. M'Donald) I beg to move the Amendment which stands in his name—namely, in page 5, line 43, to leave out the words, "and any offence punishable under this Act," so that the sub-section will read—"The expression 'crime' means any felony or misdemeanour."

Amendment proposed, in page 5, line 43, to leave out all after "misdemeanour."—(*Mr. T. M. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University): So far as I understand the effect of the Amendment moved by the hon. and learned Member, it would be really to exclude from the operation of the clause the provisions introduced into the 2nd section, and would have the effect of rendering a large part of this measure perfectly futile. We conceive it to be most important to retain these words, in order to give the Lord Lieutenant power to act in cases of intimidation; and we are, therefore, unable to assent to the Amendment.

MR. CHANCE (Kilkenny, S.): The right hon. and learned Gentleman has based his argument on the fact that it is necessary to give the Lord Lieutenant power, under this section, to deal with cases of intimidation. This clause gives the Lord Lieutenant power to put down associations formed for the purpose of promoting or inciting to acts of violence or intimidation. The Lord Lieutenant will have full power, under the clause as it stands, to deal with these offences. We are told to look back to Clause 2, and see what offences are included there. Well, it is obvious that under the 2nd section summary jurisdiction is given to the magistrates in the case of persons who use violence or intimidation, or who shall prevent people from fulfilling their legal obligations, or who shall take part in any riot or unlawful assembly. I think the word "crime," seeing that you have already given the Lord Lieutenant power to suppress intimidation in agrarian matters, should be confined to felony and misdemeanour. It seems to me that the words are useless and dangerous.

MR. T. M. HEALY: I would point out to the Government what they seem to have forgotten—namely, that this section may be even used against registration associations in connection with electoral offences. You might have it contended that bribery or intimidation, or any other offence against the Corrupt Practices Act, is covered by the words of this section. You might have it laid down that a Conservative or Liberal Association, or Registration Association, is an association formed for the purpose of crime, contemplating the intimidation of electors, and the members of such associations might be at the mercy of the Lord Lieutenant merely for carrying out an electoral programme. That, Sir, adds to the apprehension with which we regard this clause. It seems to me that the prospect of putting on the clôture at 10 o'clock, and getting this Bill through Committee, has brought the Government to such a state of excitement that they are not able to face the most moderate and reasonable arguments—that they are not able to see that an electoral association may be brought under this clause. Supposing a Judge has a case brought before him in which one of these organizations has been guilty of bribery, then every affiliated organization may be struck at under this section. As a matter of fact, it is not only agrarian combinations but also political combinations which you will have struck at under this section, and you will have all political combinations open to the attacks which may be made by a hostile Executive sitting in Dublin Castle, which hostile Executive is only another form of political organization formed under the ægis of the Crown. The organization of the Executive is simply such an organization as ours, only that, in addition to all the advantages of partizanship, they have the additional protection of the Lion and the Unicorn.

Question, "That the words proposed to be left out stand part of the Clause," put, and *agreed to.*

Question proposed, "That Clause 6 stand part of the Bill."

SIR CHARLES RUSSELL (Hackney, S.): Notwithstanding that the Government have, as is generally supposed, by their preconcerted arrangement with my hon. and learned Friend the Member for

Inverness Burghs (Mr. Finlay) accepted some Amendments—Amendments which I think render this clause in conjunction with the clause that follows it less grotesque than it would otherwise have been—it is not, in my opinion, a clause which is on that account any the less dangerous. In the short time that remains for the discussion of this matter before the hour comes when the Committee must render themselves up to the closure, I do not think we can occupy their attention better than in pointing out, in no language of excitement and with as much dispassionateness as we can command, what we on this side of the House conceive to be the objectionable character of the provisions of this clause. The Committee will observe that the clause does not provide for any prior inquiry by a public or by any judicial authority before the powers, which by this clause are committed to the Lord Lieutenant, are vested in him and exercisable by him. Amendments have been proposed with the object of guaranteeing, before this novel and unprecedented power is put into operation, that there should have been some kind of inquiry which will go some way at least to satisfy the public mind that there was some fair case requiring the application of these extraordinary powers; but the Government have thought fit to refuse to accept Amendments directed to that end. It stands, then, thus—that the powers are to be exercised by the Lord Lieutenant, by and with the advice of the Privy Council, when he is satisfied in his wisdom, by means we know not and upon information derived from what source we know not, under circumstances which afford no check or guarantee of its authenticity, by information coming to him he is to make up his mind whether he ought to exercise the powers given to him under this clause. Some observations have been made on a previous occasion of a serious character as to the source whence he is likely to derive advice. The clause, no doubt, states that the Lord Lieutenant "by and with the advice of the Privy Council"—and the Privy Council includes men of ability and power, and should afford some guarantee for the exercise of the powers of the section—but we have been assured by hon. and right hon. Gentlemen opposite that the introduction of the advice of the Privy Council in this section is purely and entirely a formal matter. I want the Committee to note what that means. We were told also by the right hon. Gentleman the Chief Secretary that it was an unjust imputation upon the Lord Chancellor of Ireland to say that he was one of the chief advisers of the Lord Lieutenant.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): The chief adviser.

SIR CHARLES RUSSELL: Yes; the chief adviser of the Lord Lieutenant. I want to know then who is the chief adviser or who are the chief advisers of the Lord Lieutenant. If, on the one hand, the Lord Chancellor, according to the statement of the right hon. Gentleman the Chief Secretary, is not to be the chief adviser, and if, on the other hand, the interposition of the Privy Council is, as we are assured, a purely formal matter, it comes to this—that officialism in Dublin Castle is to be the authority, and that alone. Well, what are these powers? The power is that if the Lord Lieutenant is, in his wisdom, satisfied that an association is dangerous he can proclaim it, and for the purpose of the definition of a dangerous association this clause takes three heads from the Act of 1882—namely, (a), (b), and (c) sub-clauses of Clause 6, and makes them some test or definition—refers to them as some test or definition—of what is to be a dangerous association, so as to satisfy the mind of the Lord Lieutenant. Well, I want the Committee to note this—that it is one of the grossest of the many gross misrepresenations which have been introduced into the discussion of this Bill by constant references to the Act of 1882—any defence of which I am not going to utter, and in defence of which I have not uttered a single word—but it is, I venture to say, a gross misrepresentation to affirm that that Act of 1882 goes any substantial way in justifying the Government as a precedent in the passing of this Bill. In the first instance, we have got here a new definition of crime, and I do not know whether the Committee noticed the significant observation of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Holmes) a moment or two ago. We were told for a very long time during the course of this discussion that this Bill was not going to create new offences. We were told that this was merely a

Bill dealing with improved machinery for the punishment of that which is now known as crime at law. But those who observed the statement of the right hon. and learned Attorney General for Ireland must have observed the significant words in which he said that the Bill, as it defines crime in Clause 2, deals not merely with felony and misdemeanour, but with crime created under the clauses of the Bill. But the Government are not content with introducing these three heads that are to be found in the Act of 1882; but they want to add two others, with reference to the last of which only will I trouble the Committee. This is one which places amongst dangerous associations one established for the purpose of interfering with the administration of the law, or disturbing the maintenance of law and order. Now, before I dwell upon that, allow me to point out another difference—an essential difference—between this Bill and the Act of 1882, which is that while it is true that the Act of 1882 dealt with and aimed at unlawful associations, it dealt with them in an entirely different manner to that in which this Bill deals with them, because having defined what was considered to be an unlawful association, as corresponding with the heads (a), (b), and (c), to which I have been referring, it leaves the fact of the unlawfulness of the association to be determined by the judicial tribunal, before which comes the question of the guilt or innocence of the persons charged with belonging to the particular unlawful association. But, under this Bill, the question of the lawfulness or unlawfulness of an association is not left to the decision of any judicial tribunal, but is left to be determined by the opinion expressed in the Proclamation, and to be beyond question thereafter in any judicial tribunal, that question as to lawful or unlawful character of an association being determined conclusively by the opinion of the Lord Lieutenant. Now, with regard to these additional clauses, as to interfering with the administration of the law, or disturbing the maintenance of law and order, does the Committee see to what these point? Why, it does not appear to me to be too much to say that if, in the year 1832, such powers had been conferred on the Party now in power, they would have declared the agitation for the reform of the franchise to be a serious disturbance of the maintenance of law and order, and in all probability they would have taken the same view when the great struggle against Protection was going on in 1846. Now, the Lord Lieutenant, by and with the advice of his Privy Council, which, as I say, means Dublin Castle officialism, has a right to declare that he is satisfied that an association of any kind which he believes to be dangerous, and which conflicts with his ideas of the maintenance of law and order, is an unlawful association, and persons connected with it may be dealt with accordingly. I submit that it is not possible to conceive a clause wider-reaching in its consequences than this if applied, or one vested in a political Executive officer of high position of more dangerous power. I am not going to stop to point out that there is no question of precedent in this matter. There is no precedent for it, and that is admitted. The nearest approach to a precedent that I am able to think of was the suppression of Catholic associations. But that suppression was carried out under an Act of Parliament, and under it the association which was supposed to be against the existing law was specifically named; and, moreover, such association was supposed to be in conflict with the then existing law against conventions. But I need not point out how different the present Bill is. Then it is said that the Act of 1882 furnishes a further justification, because it deals with illegal meetings. Why, it is an idle pretence to say that there is any analogy at all. The provision of the Act of 1882 is a provision that requires to be brought into operation speedily, and that is only to be justified in its use with reference to the possible immediate danger of interference with the safety of the public or a violation of the peace. Let the Committee consider the consequences of this clause if carried out according to the text. To-day there exists an association, perfectly lawful in the eye of the law, memberhood of which carries with it no criminal or legal penalty. That association is proclaimed by the Lord Lieutenant, and to-morrow that which is to-day legal in the eyes of the law, and memberhood of which is not criminal, becomes, on the mere *ipse dixit* of the Lord Lieutenant, expressed in the form

Sir Charles Russell

of a Proclamation, criminal. More than that, it is not merely that that character is *primâ facie* attached to the association by the Proclamation, but the association is absolutely and conclusively fixed as illegal without the judgment of any judicial tribunal. The man who is charged and apprehended as a criminal for an offence is not to have the opinion of a judicial tribunal as to whether or not the thing is in itself unlawful. I do hope, therefore, that while it is not possible to expect its acceptance by the Government at this stage, that they will consider whether they cannot, on the report stage, accept an Amendment which stands in my name, or in the name of an hon. and learned Member below the Gangway, providing for a possibility of submitting to a judicial tribunal the question of the lawfulness or unlawfulness of an Association, and whether they should not supplement that by providing for an appeal, not to the Court of Quarter Sessions, but what can easily and without any particular difficulty be provided for, to the going Judge of Assize. But now it is said that there is a safeguard over the exercise of these provisions. I would ask the hon. Gentlemen on the opposite side a question with regard to this. It is said that there is a safeguarding of the exercise of these extraordinary powers, for which there has been little defence, and for which no precedents have been put forward in justification, and it is said that the safeguard consists in the supervision and check of Parliament. I contend that if such check were real, it would be unconstitutional and wrong to give to the House of Commons, or to the other branch of the Legislature, the power of declaring what is or is not criminal. I say it would be a wrong check if it existed; but I maintain that that check is not real, but is delusive. What does it mean? Why, it means that no adverse Address could be carried in the House of Commons without the Government who are in power knowing that they will be in a minority, and, therefore, they will take good care not to challenge a decision, but to avoid an Address by the House of Commons by revoking the Proclamation; and if they know they are in a majority they will be safe against the successful carrying of any such adverse resolution. The Government are, by this use of a shifting party majority on one side or the other, creating a kind of criminal pendulum swinging to and fro, one month criminal, another not criminal, according to the position in which the Government find themselves with reference to the existence of a party majority, or a party minority. That is not a state of things anyone can gravely defend or seriously justify. It is especially dangerous that that should be the only safeguard which you can apply to or suggest with reference to a coercive measure, applied under such circumstances as this is to be, against the voice of the great and overwhelming majority of the Representatives from Ireland, and against the overwhelming majority of the Liberals who sit on this side of the House. Well, now, I do not know whether this thought has ever occurred to those who are pressing on this Bill, and whose endeavour is to convey a certain amount of earnestness in the belief that this Bill will do good in Ireland. They have again and again complained, and they have complained, I think, with some justice, that there are many parts of Ireland where the people are not in sympathy with the law, and where they have no respect for the law. I believe that complaint to be well founded; but do you think that this evil, which you admit to be an evil, and which we all admit to be an evil, can be cured by this Bill? Do you think it will have the effect of making your law more respected when the people of Ireland—the great majority of the people of Ireland—believe, and have just grounds for believing, that this is not a Bill aimed at crime, but is a Bill aimed at new offences, which you are creating, and is a Bill certainly calculated to take away from the tenant farmers of Ireland—a weak body, but numerically strong, and whose strength lies in combination—that power which you dare not touch in the case of similar bodies in England, or elsewhere than Ireland, in the United Kingdom. On this side of the House we have tried to introduce provisions analogous to those which exist for the protection of similar combinations in England; but you would not have them. If this Bill goes before the people of Ireland when it has passed into law, it will go condemned by the voice of their own representatives. ["Hear, hear!" *on the Ministerial side of the House.*] Ah,

hon. Members in that quarter say "Hear, hear!" but you were parties to giving to the Irish people a full and free franchise. You gave them that franchise very reluctantly, I know. You yielded, after a long resistance, with a bad grace, but you yielded. You gave them that power, I presume, in order that they might exercise it on Constitutional principles. [*Cheers.*] Aye; and they have done so. Do not forget that out of 97 Representatives 19 were returned unopposed, and that of the remaining number 62 were returned by majorities of not less than 400, some of them by majorities of many thousands. [An hon. MEMBER: Under pressure!] Under pressure forsooth! Under pressure in view of such majorities as these! There is a Law of Intimidation, and was there one single Election Petition in which even the allegation of undue pressure was made? There were but two election petitions following the General Election in Ireland, one against the hon. Member for West Belfast (Mr. Sexton)—which was not successful—and the other against the hon. Baronet who sits opposite (Sir Charles Lewis), which resulted in his being unseated. Those were the only Election Petitions, and in neither of them were allegations made of undue influence or intimidation, and to anyone who knows Ireland, the suggestion that pressure was exercised is ludicrous and ridiculous. I am speaking my mind to you straight out. You may not like these men—[pointing to the Irish Members]. You may not dislike them intensely; but to say that they are not the fairly chosen Representatives of the Irish people—[*Cries of* "No!"]

MR. T. M. HEALY (Longford, N.): Come over and oppose us, then, some of you.

AN HON. MEMBER: Let De Lisle go over.

SIR CHARLES RUSSELL: To say that these men are not the freely chosen Representatives of Ireland is absurd. This Bill will presently be law—we do not deny it. If I believed it would be efficacious in putting down crime, I would support it heartily, because it is in the interest of hon. Gentlemen on this side of the House as it is the interest of hon. Gentlemen on the other side, to put down real crime; but there is no pretence here of putting down real crime. You are trying to weaken political forces in Ireland. I cannot forget the speech of the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen), whom I see in his place, that one of the causes for this wretched and unfortunate Bill was that the Government thought it necessary to pass it in order to pave the way for their beneficent land legislation.

And, it being Ten o'clock, the Chairman, in pursuance of the Order of the House of the 10th of June, interrupted the Debate, and put the Question forthwith.

The Committee *divided:*—Ayes 332; Noes 163: Majority 169.—(Div. List, No. 247.) [10 P.M.]

AYES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Allsopp, hon. G.
Allsopp, hon. P.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, G. S.
Baggallay, E.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Balfour, G. W.
Banes, Major G. E.
Baring, Viscount
Barnes, A.
Barry, A. H. Smith-
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Beckett, W.
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bethell, Commander G. R.
Bickford-Smith, W.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Colonel H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Bridgeman, Col. hon. F. C.
Bright, right hon. J.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brooks, Sir W. C.
Brown, A. H.
Bruce, Lord H.
Burghley, Lord
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Campbell, J. A.
Campbell, R. F. F.
Chamberlain, rt. hn. J.
Chamberlain, R.
Charrington, S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Coghill, D. H.
Colomb, Capt. J. C. R.
Commerell, Admi. Sir J. E.
Compton, F.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, C.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dickson, Major A. G.
Dimsdale, Baron R.
Dixon, G.
Dixon-Hartland, F. D.
Donkin, R. S.

Dugdale, J. S.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Eaton, H. W.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elliot, Sir G.
Elliot, G. W.
Ellis, Sir J. W.
Elton, C. I.
Ewart, W.
Ewing, Sir A. O.
Eyre, Colonel H.
Farquharson, H. R.
Feilden, Lt.-Gen. R. J.
Fellowes, W. H.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitzwilliam, hon. W. J. W.
Fitz-Wygram, General Sir F. W.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fulton, J. F.
Gardner, R. Richardson-
Gathorne-Hardy, hon. A. E.
Gedge, S.
Gent-Davis, R.
Gibson, J. G.
Giles, A.
Gilliat, J. S.
Godson, A. F.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Goschen, rt. hon. G. J.
Gray, C. W.
Green, Sir E.
Grenall, Sir G.
Greene, E.
Grimston, Viscount
Gunter, Colonel R.
Gurdon, R. T.
Hall, C.
Halsey, T. F.
Hambro, Col. C. J. T.
Hamilton, right hon. Lord G. F.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Havelock-Allan, Sir H. M.
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Heneage, right hon. E.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, S.
Hobhouse, H.
Holland, right hon. Sir H. T.
Holloway, G.
Holmes, rt. hon. H.
Hornby, W. H.
Houldsworth, W. H.
Howard, J.
Howard, J. M.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, rt. hn. J. G
Hubbard, E.
Hughes-Hallett, Col. F. C.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir W. G.
Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
James, rt. hon. Sir H.
Jardine, Sir R.
Jarvis, A. W.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenrick, W.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Ker, R. W. B.
Kerans, F. H.
Kimber, H.
King, H. S.
King-Harman, right hon. Colonel E. R.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Laurie, Colonel R. P.
Lawrance, J. C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lees, E.
Leighton, S.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Low, M.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Lymington, Viscount
Macartney, W. G. E.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
M'Garel-Hogg, Sir J. M.
Makins, Colonel W. T.
Malcolm, Col. J. W.
Mallock, R.
March, Earl of
Marriott, rt. hn. W. T.
Maskelyne, M. H. N. Story-
Matthews, rt. hn. H.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
Mildmay, F. B.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morgan, hon. F.
Morrison, W.
Mount, W. G.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Muntz, P. A.
Murdoch, C. T.
Newark, Viscount
Noble, W.
Norris, E. S.
Northcote, hon. H. S.
Norton, R.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, W.
Pelly, Sir L.
Penton, Captain F. T.
Pitt-Lewis, G.
Plunket, right hon. D. R.
Plunkett, hon. J. W.
Pomfret, W. P.
Powell, F. S.
Price, Captain G. E.
Quilter, W. C.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hn. C. T.
Robertson, J. P. B.
Robertson, W. T.
Robinson, B.
Rollit, Sir A. K.
Ross, A. H.
Rothschild, Baron F. J. de
Royden, T. B.
Russell, T. W.
St. Aubyn, Sir J.
Saunderson, Col. E. J.
Sellar, A. C.
Selwin-Ibbetson, rt. hon. Sir H. J.
Selwyn, Capt. C. W.
Seton-Karr, H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Sinclair, W. P.
Smith, rt. hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stewart, M. J.
Sutherland, T.
Swetenham, E.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, H. J.
Tyler, Sir H. W.
Verdin, R.
Vernon, hon. G. R.
Vincent, C. E. H.
Walsh, hon. A. H. J.
Watkin, Sir E. W.
Watson, J.
Webster, Sir R. E.
Webster, R. G.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
White, J. B.
Whitley, E.
Whitmore, C. A.
Wiggin, H.
Williams, J. Powell-
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas A. Akers-Walrond, Col. W. H.

NOES.

Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Austin, J.
Balfour, Sir G.
Barclay, J. W.
Barran, J.
Bolton, J. C.
Bradlaugh, C.
Bright, Jacob

Bright, W. L.
Broadhurst, H.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Cameron, C.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Channing, F. A.
Childers, rt. hon. H. C. E.
Cobb, H. P.
Cohen, A.
Coleridge, hon. B.
Colman, J. J.
Conybeare, C. A. V.
Cossham, H.
Cozens-Hardy, H. H.
Craven, J.
Crawford, D.
Cremer, W. R.
Crossley, E.
Davies, W.
Dillwyn, L. L.
Dodds, J.
Duff, R. W.
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esslemont, P.
Evershed, S.
Farquharson, Dr. R.
Fenwick, C.
Ferguson, R. C. Munro-
Flower, C.
Foljambe, C. G. S.
Forster, Sir C.
Foster, Sir B. W.
Fowler, rt. hn. H. H.
Fry, T.
Gardner, H.
Gaskell, C. G. Milnes-
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Gully, W. C.
Haldane, R. B.
Harcourt, rt. hon. Sir W. G. V. V.
Hayne, C. Seale-
Holden, I.
Howell, G.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
James, C. H.
Joicey, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kilcoursie, right hon. Viscount
Labouchere, H.
Lacaita, C. C.
Lawson, Sir W.
Lawson, H. L. W.
Leake, R.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Lockwood, F.
Lyell, L.
MacInnes, M.
M'Arthur, A.
M'Arthur, W. A.
M'Donald, Dr. R.
M'Ewan, W.
M'Lagan, P.
M'Laren, W. S. B.
Maitland, W. F.
Mappin, Sir F. T.
Mason, S.
Montagu, S.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Mundella, right hon. A. J.
Neville, R.
Newnes, G.
Palmer, Sir C. M.
Parker, C. S.
Paulton, J. M.
Pease, A. E.
Pease, H. F.
Pickersgill, E. H.
Picton, J. A.
Playfair, right hon. Sir L.
Plowden, Sir W. C.
Potter, T. B.
Powell, W. R. H.
Price, T. P.
Provand, A. D.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richard, H.
Roberts, J.
Roberts, J. B.
Robertson, E.
Robinson, T.
Roe, T.
Rowlands, J.
Rowlands, W. B.
Rowntree, J.
Russell, Sir C.
Russell, E. R.
Samuelson, Sir B.
Shaw, T.
Shirley, W. S.
Smith, S.
Spencer, hon. C. R.
Stansfeld, rt. hon. J.
Stepney - Cowell, Sir A. K.
Stevenson, F. S.
Stevenson, J. C.
Stuart, J.
Summers, W.
Thomas, A.
Vivian, Sir H. H.
Waddy, S. D.
Wallace, R.
Wardle, H.
Warmington, C. M.
Watt, H.
Wayman, T.
Whitbread, S.
Will, J. S.
Williams, A. J.
Williamson, J.
Wilson, C. H.
Wilson, H. J.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.
Yeo, F. A.

TELLERS.

Marjoribanks, rt. hon. E.
Morley, A.

Clauses 7 to 20 *agreed to.*

Whereupon the Chairman, in pursuance of the said Order, *forthwith reported* the Bill, with Amendments, to the House.

As amended, to be considered upon *Monday* 27th June, and to be *printed.* [Bill 290.]

CUSTOMS AND INLAND REVENUE BILL.—[Bill 241.]

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

PART I.

CUSTOMS AND EXCISE.

Clause 2 (Import duties on tea) *agreed to.*

Clause 3 (Duties and drawback on tobacco) *agreed to.*

Clause 4 (Restriction of amount of moisture in tobacco).

MR. KELLY (Camberwell, N.): Mr. Courtney, in rising to move the Amendment which stands in my name, I wish specially to direct the attention of the Committee to the particular words in Section 4 to which my Amendment applies. The words of the section are—

"If any dealer in or retailer of tobacco shall have in his custody or possession any tobacco, and such tobacco shall, in either case, on being dried at a temperature of two hundred and twelve degrees as denoted by Fahrenheit's thermometer be decreased in weight by more than 35 per centum, he shall incur an excise penalty of *fifty pounds*, and the tobacco shall be forfeited."

Now, if the words of this clause are allowed to stand as they do now, it will be almost impossible for any retailer, however innocent he may be, to escape the penalty under this clause. And I wish to provide against that which no lawyer in the House can deny has happened under the Food Adulteration Act

—namely, the punishment of wrong persons for offences. I wish to provide by an effective and simple way for the protection of the manufacturer and the retail dealer alike, and for that purpose I ask that every packet of tobacco which is sold shall be sealed. If seized by an Excise Officer when the seal is not broken there will be a very strong *primâ facie* case against the manufacturer in case of adulteration. If the seal should be broken, the retailer should bear the penalty for having broken it—if the tobacco contains a greater amount of moisture than is allowed the retailer will be liable for having retailed it. By the earlier part of the Proviso I have tried to give a simple means by which a retailer shall bring in the manufacturer at the beginning of any proceedings. I have provided, also, that the manufacturer shall not be shut out from proving, if it is possible for him to do so, against the retailer that the retailer has been the person who has added the illegal amount of moisture. In the third place, I provide that where a retailer has served a notice of a vexatious character on the manufacturer, the retailer shall be punished for having vexatiously called in the manufacturer, and shall be bound to pay all the costs incurred. By the last clause of my Proviso I have attempted to provide what I believe is very simple machinery for securing a proper and sufficient notice being given to the manufacturer. It is to the last part of my Proviso that I am particularly desirous the Committee should pay the greatest attention. If the last clause of the Proviso were made part of the Bill, I am persuaded it would give the fullest protection to the manufacturer and the dealer alike. I am not in a position to say what view the Government are prepared to take on this point—I have not had an opportunity of speaking to any Member of the Government upon it—but I do think the Government will, at any rate, allow that there can be no doubt that under the clause as it now stands a number of perfectly innocent retailers will be punished or penalized in large penalties. To illustrate this, let me mention one point. It is clear that unless the retailer is protected, and he receives tobacco with an illegal amount of moisture, which either he has not opened, or which, having opened, he intended to return to the manufacturer, it will be no sort of defence on his part to say he received it in the condition in which it was found. It is perfectly clear he will be liable under this clause if the tobacco is found in his possession. I should be sorry to do anything to make it possible for either the manufacturer or the retailer to add more than 35 per cent of moisture to the tobacco, and I should be very sorry indeed to put any hindrance in the way of anyone being punished who did so; but I desire the Committee to consider one or two facts in relation to this matter. I desire the Committee to consider what is the amount of moisture which is at this moment being added to tobacco by manufacturers. I take that class of tobacco which is mostly adulterated, that is the tobacco which is largely used by the poor, and is known as Irish roll. Irish roll No. 3 contains between 60 and 70 per cent of moisture, and it is a curious proof of this that the manufacturers, since the duty has been reduced by 4*d.* in 3*s.* 6*d.*, have actually raised the price of this tobacco. I will not weary the Committee by any further remarks. I should be very glad if the Committee would consider this matter fully, because, if the clause is passed as it now stands, I am sure the great injustice which has been frequently done under the Food Adulteration Act will be largely increased throughout the United Kingdom.

Amendment proposed,

In page 2, after line 38, insert—"Provided that in any proceedings taken under this section against any dealer in or retailer of tobacco, such dealer or retailer shall have the right to serve notice thereof upon the manufacturer or wholesale dealer, by whom he may have been supplied with the tobacco alleged to contain an illegal amount of moisture, to appear at the hearing of such proceedings, and after such notice shall have been served, and upon proof being given by or on behalf of such dealer or retailer that such tobacco at the time at which it was supplied to him by such manufacturer or wholesale dealer contained an illegal amount of moisture, no penalty in respect thereof shall be enforceable against such dealer or retailer, but against such manufacturer or wholesale dealer only, and such manufacturer or wholesale dealer shall be liable to pay all costs and expenses whatsoever properly incurred by such dealer or retailer in connection with such proceedings, and further to pay to such dealer or retailer the price of any tobacco which may be ordered to be forfeited under this section.

"Provided also, that such manufacturer or wholesale dealer shall be entitled, upon tendering to such dealer or retailer the price

thereof, to purchase a sample of the tobacco in respect of which such proceedings may have been instituted against such dealer or retailer.

"Provided also, that where such dealer or retailer shall have served such notice upon such manufacturer or wholesale dealer to appear at the hearing of such proceedings, and shall fail to adduce proof that the tobacco, in respect of which such proceedings may have been instituted, contained, when supplied to him by such manufacturer or wholesale dealer, an illegal amount of moisture, such dealer or retailer shall be liable for all costs and expenses whatsoever properly incurred by such manufacturer or wholesale dealer in connection with such proceedings.

"Provided also, that notice of such proceedings sent by such dealer or retailer to any place of business of such manufacturer or wholesale dealer in the United Kingdom in a registered letter within at least forty-eight hours from the time of the service of the summons upon such dealer or retailer, shall be deemed to be, and shall be, a full and sufficient notice thereof to such manufacturer or wholesale dealer."—(*Mr. Kelly.*)

Question proposed, "That those words be there inserted."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I know the hon. and learned Gentleman sympathizes with the general object which is aimed at by the Adulteration Clauses of this Bill. I understand he sympathizes with the object that the manufacturers should be checked in the amount of moisture which they put into the tobacco, and he thinks that clauses are necessary for checking the abuses which have hitherto prevailed; but he objects to the clause proposed by the Government, in the belief that it would be harsh upon the retailers, and that the wrong man might occasionally be punished. Well, now, I am bound to say that this Bill has been for some time before the public, and that I have had no representations from retailers in respect to the danger the hon. and learned Gentleman alludes to. This is a matter of very considerable importance, I admit, and the Government will most carefully watch the administration of the Bill, with the view of protecting retailers in case the manufacturers are the guilty parties. The hon. and learned Gentleman, of course, is aware that the retailer will, in all cases, have his remedy against the manufacturer. I do not say that this is a conclusive argument against the Amendment; but I assure the Committee that this clause in the Bill has been based on the analogous clauses in the Adulteration of Food Act, and that it is almost impossible, without impeding very much the course of trade, to secure the object of the hon. and learned Member, except by such clauses as we have introduced in this Bill. I am informed that the ingenious processes which he himself suggests would be a very considerable impediment to the trade. I sympathize with his object, and I assure him we will watch the administration of this clause with the greatest care, and if it should happen that there is any kind of injustice we will endeavour to secure at once a remedy. Under the circumstances, I trust the hon. and learned Gentleman will not think it necessary to push his Amendment, the object of which is perfectly just, but the machinery of which I think would be inconvenient to the trade, and, perhaps, might not secure the result he himself most desires.

MR. KELLY: Allow me one word in reply to the right hon. Gentleman the Chancellor of the Exchequer. The retailer would have no remedy—and I am sure the hon. and learned Attorney General (Sir Richard Webster) would at once say so—in the matter of any penalty recovered against him. There is no civil process by which he could recover the penalty enforced against him at law, and I do not see why a retailer should be put in such a position. He could not recover the penalty, but he might recover the cost of the tobacco forfeited, and be liable to pay several pounds for the recovery. The right hon. Gentleman the Chancellor of the Exchequer has said that he has had no representation from the trade upon this point. That, I think, is a matter very easily explained. Unfortunately, this trade has no association except the one which was only created a few weeks ago, and therefore it is not surprising he has had no representation from the trade upon this matter. It is perfectly true that this clause is framed upon the same lines as the Food and Drugs Adulteration Act; indeed, it is upon this ground that I ask the Committee to consider whether the Amendment I propose ought not to be accepted. I appeal to hon. Gentlemen who have adjudicated upon questions of adulteration whether retailers have not very frequently been hit very hard in cases where the penalty ought to have been imposed upon the manufacturer? I con-

sider it is absolutely necessary in the interests of the poor retailers that they should not be punished for the fraud and for the adulteration of the manufacturers, and I trust that the Committee will see its way to vote in favour of my Provisoes.

MR. GEDGE (Stockport): The right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) said just now that the retailer would have a remedy against the manufacturer. I believe such a statement, coming from so high an authority as it does; but, knowing something about the law, and yet not knowing what the remedy is, I shall be much obliged to the right hon. Gentleman if he will tell the House what it is.

MR. GOSCHEN: My hon. and learned Friend is a better authority upon matters of law than I am; but I am informed by the Inland Revenue officials that there would be a distinct remedy against the manufacturer who supplies tobacco containing a larger amount of moisture than is permitted by law. It struck me, as a layman, that that was a most natural consequence. I assure the hon. and learned Member for Camberwell (Mr. Kelly) that I will make every inquiry in the matter, and I will do all I can to insure that the retailer shall have every remedy against the manufacturer who sells tobacco containing more moisture than is permitted to be introduced by law. With this assurance, I trust the hon. and learned Gentleman will not think it necessary to press his Amendment to a Division.

MR. KIMBER (Wandsworth): It is quite possible that a retailer may be locked up for default of paying his fine or penalty. What remedy against a manufacturer would a man have in such a case as that? Perhaps the Government may be able to see their way to hold this matter over for further consideration.

MR. GOSCHEN: I have had plenty of time to consider the matter, and I have convinced myself that there is a remedy which the retailer would have. I have stated—which my hon. and learned Friend (Mr. Kelly) has admitted to be accurate—that this clause is not a new clause in the sense of proposing a new system in our administration, but that in the Acts relating to the adulteration of food, the same difficulty as is raised here has had to be dealt with. If the public say, and I believe they do, that the process of adulteration of tobacco should be stopped, I think they must trust to the machinery which has been tried under the Inland Revenue, and should not have recourse to the process suggested by the hon. and learned Gentleman. As I have already said, I sympathize with the object of the hon. and learned Gentleman as much as he does himself, and I will give my best attention to the matter to see that no injustice is done.

MR. KELLY: I beg to ask leave to withdraw my Amendment, and, in doing so, may I suggest to the right hon. Gentleman the Chancellor of the Exchequer that, between this and the time the Bill is read a third time, he will ascertain whether something cannot be done to effectually protect the unhappy retailer.

Amendment, by leave, *withdrawn.*

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Mr. Courtney, I beg to move the Amendment which stands in my name, and which provides a form of words different to that already in the clause, the trade having found the original words would not be quite satisfactory.

Amendment proposed,

In page 2, line 41, leave out from "by" to end of clause, and insert "baking, or hot-pressing, or stoving, shall be deemed fit for sale when the same has cooled after such treatment; and roll tobacco in such custody or possession, which is treated in the course of manufacture by pressing merely, shall be deemed fit for sale immediately upon being put in press."—(*The Chancellor of the Exchequer.*)

Question, "That those words be there inserted," put, and *agreed to.*

Clause 4, as amended, *agreed to.*

PART II.

STAMPS.

Clauses 5 and 6, *agreed to.*

Clause 7 (Duties on transfers and debenture stock and on stock certificates to bearer).

On the Motion of The CHANCELLOR of the EXCHEQUER, Amendment made, in page 3, line 12, after "transfer" by inserting the words "otherwise than on mortgage"; in page 3, line 14, by leaving out "whether on sale or otherwise."

Clause 7, as amended, *agreed to.*

Clauses 8 to 16, inclusive, *agreed to.*

PART III.

INCOME TAX.

Clause 17 (Grant of duties of income tax.)

MR. J. G. HUBBARD (London): Before this clause is passed I wish to say a few words upon it, because I think it is right a new Chancellor of the Exchequer should have called to his notice the gross anomalies which exist in the levying of the Income Tax. There never was a time when the cruel and monstrous proceeding of levying the Income Tax upon outgoings on real property was more ill-timed than it is at the present moment. It is notorious that a large portion of the landed property in this country is at the present moment mortgaged to a very serious extent. Upon the mortgage the mortgagee receives his interest, and upon that interest, and upon that interest alone, he pays Income Tax. But the unfortunate nominal owner is taxed not upon the money he receives but upon the money he has spent in outgoings, and very often, in order to pay, he has to fall back upon property wholly unconnected with the land. My right hon. Friend the Chancellor of the Exchequer cannot be expected, coming so recently and so abruptly into Office, to deal with all the inequalities of this tax at once; but I am sure I need only call his attention to the inequality of levying the tax upon outgoings to secure for the subject his attention. I will content myself on this occasion by merely making these remarks as a protest. I assure my right hon. Friend that the feeling of the country will not very much longer permit the Income Tax to carry on its present cruel course. I leave the matter entirely in his hands. I am sure he has independance of character and sagacity of mind enough to enable him to make a satisfactory re-adjustment in this matter.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Every Member of this House for many years past knows the continuous and intelligent attention which has been given to this question by my right hon. Friend (Mr. Hubbard), who has made this subject a study. But Chancellor of the Exchequer after Chancellor of the Exchequer has been defeated by the enormous difficulties of the re-adjustment of the tax, which must be admitted to be surrounded with anomalies in every possible direction. It has always been held that if you once touch one anomaly you will have to deal with the whole tax and re-construct it entirely, and it would be a somewhat venturesome business to touch at the present moment a tax which gives £16,000,000 of revenue. But difficulties ought not to stand in the way of a thorough revision, and I may assure my right hon. Friend I approach this question with a perfectly open mind, and with the belief that year after year changes occur in our social system, and perhaps may aggravate some of the inequalities and difficulties to which he has so often called attention. I am much obliged to the right hon. Gentleman for the tone in which he has called attention to this important question. I do not think he will expect me to dilate upon it at the present moment, but I assure him the matter shall have my best attention.

Clause 17 *agreed to.*

Clauses 18 and 19 *agreed to.*

Clause 20 (Assessment of income tax under Schedules (A.) and (B.) and of the inhabited house duties for the year 1887-8 32 & 33 *Vict.* c. 67).

MR. BARTLEY (Islington, N.): Mr. Courtney, I have two Amendments upon the paper referring to the question of poundage, and perhaps it would be convenient that they should be taken together. The system of payment by poundage has been the subject of controversy for years, and last year I drew attention to the subject. Not only collectors, but local assessors and clerks to local commissioners, are paid by poundage. No system can possibly be worse than the poundage system. I do not wish to weary the Committee by reading all the letters I have received on the subject; but I may remind the right hon. Gentleman the Chancellor of the Exchequer that there are springing up in every direction associations for a reform in the system of collecting the Income Tax, and these unanimously urge the abolition of the poundage system. The right hon. Gentleman the Member for the City of London (Mr. Hubbard) referred to the growing feeling on this subject, and I am sure he is

quite correct when he says that the country will demand, and that very shortly, a re-construction of the system of levying the Income Tax. I could read letters from Associations at Wolverhampton, Birmingham, Worcester, and other places condemning in the strongest possible terms payment by poundage. The real danger and difficulty of this system is not only that the men who have to do with the collection of the money, but the men who have to deal with the assessments, and with the appeals in the case of excessive assessments, are interested to a great extent in the system of payment by poundage. It is particularly objectionable that the clerks to the local Commissioners, who really and truly, may be said practically to guide the Appeal Commissioners, should be paid according to the poundage system, and have a direct pecuniary interest in keeping up the assessments. Now, poundage is also an inexpedient mode of payment, because it varies with the gross amount raised without being influenced by the amount of work done. The real objection is that the larger the rate of the tax the more worth while it is for individual collectors and assessors to increase the assessments. I am sure the right hon. Gentleman the Chancellor of the Exchequer will add very greatly to his popularity, if it were possible to do so, and create a more pleasant feeling concerning the tax if he will undertake as soon as possible—in next year's Budget if not in the present—to arrange that collectors and other officials concerned in the Income Tax shall be paid in future by salary.

Amendment proposed, in page 7, line 24, leave out "poundage of three halfpence," and insert "salary."—(*Mr. Bartley.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I cannot accept the precise proposal of my hon. Friend (Mr. Bartley), because I am not prepared to pay a salary to the collectors of the Income Tax upon the Income Tax of last year, especially as it has now been reduced. I need not follow the hon. Gentleman into his arguments because it has long been held by successive Chancellors of the Exchequer, and strongly held by the officers of the Inland Revenue, that it is desirable to abolish the system of poundage and substitute for it salaries. My right hon. Friend the Member for South Edinburgh (Mr. Childers) made a proposal to this effect; but the vested interests of the collectors in the different localities were so strong that the Government were defeated upon the question. If, however, my hon. Friend (Mr. Bartley) will withdraw his Amendment on this occasion I will promise him that when the usual Inland Revenue Bill is proposed at the end of the Session I will bring up a clause abolishing the system of poundage, and substitute for it the system of payment of the collectors by salary. May I appeal to hon. Members to save me from the fate of my Predecessor?

MR. BARTLEY: The right hon. Gentleman mentioned the collectors. I presume he means collectors, clerks and all the officials concerned?

MR. GOSCHEN: Yes; so far as it is possible. I object to the system quite as much as my hon. Friend does, and I wish to carry out the reform to the greatest extent possible.

MR. J. G. HUBBARD (London): I am very glad the right hon. Gentleman intends to make a change in the system of payment; but a change in the system of payment must be accompanied by a change in the principle of the Bill itself. Instead of having a Bill full of inequalities and injustices, and which, therefore, you dare not enforce, you should make your Bill a just and an equitable Bill, and then you can afford to put it into the hands of efficient servants, and insure regular collection. I hope the right hon. Gentleman will not tinker with this great question in a little Bill at the end of the Session, when anything may pass without notice; but will bring forward the whole question in another year, effecting economy in the cost of collection, and giving much greater satisfaction to the community who pay the tax.

Amendment, by leave, *withdrawn.*

MR. BARTLEY (Islington, N.): I now beg to propose to insert after the word "respectively" in line 40 the words—

"Provided that no person be required to pay on a larger sum than he actually receives as rent, or otherwise."

I trust that as this on the face of it is such a reasonable proposal the right hon. Gentleman the Chancellor of the Exchequer will be able to see his way to accept it. I am perfectly aware that to a certain extent it does strike at the root of some of the schedules of the Income Tax; but if it is a fact, and I shall in a very few moments endeavour to show conclusively it is a fact, that many persons are paying on a much larger income than they are really earning, and receiving, the necessity of such a protection would seem to be obvious. Surely, it is fair and right that such a clause should be inserted to protect the persons who suffer in this way, and who are, perhaps, the most deserving class of the community—namely, those who are real workers, and who deserve to have every consideration paid to them, especially in these bad times. It has often been said that some people pay more than they should, while others defraud the Revenue by not paying enough. I am quite prepared to agree that there may be some who do not return their income as largely as they should; but because some persons defraud the Revenue in this way there is no reason why a lax system of administration should be allowed, or a Bill passed by this House which enables the Chancellor of the Exchequer to claim from a great number of persons a really larger rate than they would otherwise pay. If persons defraud the Revenue the loss should be made up by the whole community, and not by the few persons who pay excessive rates. The Bill says that the annual value of any property should be the assessment. Now, the assessment of many properties is grossly unfair, because many properties are assessed considerably above their value, the Income Tax being charged on the maximum rating. If a property is assessed at £100 and only £85 is paid as rent, the Chancellor of the Exchequer and his officers demand that the Income Tax shall be paid on the £100. I have got a number of cases; but I will not weary the Committee by recounting the circumstances of them all. I may, however, mention two cases which have come under my own absolute observation. I am interested in premises in Blackfriars Road, which are rated at £154 a-year. The premises had been unlet for some time, and we took them at a rent of £140. We are required to pay Income Tax upon the £154—that is to say, upon £14 more than the absolute rent. Other premises in which I am interested are rented at £40, but rated at £54, and it is upon the £54 that we have to pay Income Tax. A set of premises in the Hackney Road is rented at £60 and rated at £72, and it is upon the higher figure that Income Tax is demanded from us. A constituent of mine wishes me to say that he is made to pay Income Tax on £120, while he only pays £90 a-year rent. Again, premises used as a Penny Savings Bank are rated at £506, while we only receive a nett income of £335. We have, however, to pay on the £506. On none of these premises was any premium paid, but the rents are the market value of the properties. These cases unquestionably show that there is a system by which the Chancellor of the Exchequer is obtaining in respect to many properties in London, and I have no doubt elsewhere, a great deal more than he is justly entitled to. Some months ago I took a house, and converted it into a playroom for children. I got the premises, which had been to let for a year, for £24 a-year, and yet the Chancellor of the Exchequer is insisting at the present time that I should pay Income Tax on the rateable value—namely, £35. I do not wish for a moment to accuse the Chancellor of the Exchequer of getting money he should not get; but I wish the temptation to be removed from him and his officials by putting a clause in the Bill which will prevent him levying Income Tax on more than the amount which is paid. Some of my friends may say—"It is all very well; but the Income Tax can always be deducted from the landlord." Sir, you cannot deduct from the landlord more Income Tax than on the rent you pay. If you pay your landlord £40 a-year and you pay Income Tax on £50, you can only deduct from the landlord Income Tax on £40. I think it is most unreasonable you should be required to pay on a higher sum than the property is really worth and is fetching. I very much doubt whether the action of the Chancellor of the Exchequer and his officials is strictly legal, because the decision was given very recently in the case of "Stephens *v.* Bishop," that the annual value for tithe meant the amount received, excluding

what had been expended in realizing the tithe. I know an appeal has been entered, and I sincerely trust the Chancellor of the Exchequer will be defeated, because if the decision is upheld the principle will be established, that Income Tax should be claimed simply on the income of the people. Rateable value of property is, after all, a very fictitious value. If all property in a particular district is rated highly or lowly it does not matter to the district—it does not really affect the local taxation. What is wanted is that the local coffers shall be properly replenished, and this is done as well with a shilling rate on rating at half its value as a sixpenny rate on its full value. But the Chancellor of the Exchequer is greatly interested in the rating. If the rating is high the Chancellor of the Exchequer receives a very much larger amount. If the Metropolitan Members were to combine and establish a sort of Plan of Campaign, and get all the rating reduced to, say, a tenth, which would not in any way affect the local receipts, I am convinced the Chancellor of the Exchequer would insist upon our paying Income Tax upon a higher rate than any such artificially reduced rating. Why, then, does he insist on our paying in so many cases an artificially increased rating? I do earnestly trust that the right hon. Gentleman the Chancellor of the Exchequer will recognize the justice of what I say, and arrange that we shall no longer be subjected to the injustice of which I complain. Then, again, there is reason to complain of the payment demanded in respect of partially let property. There is an immense amount of property in London which is only partially occupied, and much of it is at the present time paying not only 7*d.*, but 1*s.* 2*d.*, and in some cases 1*s.* 6*d.* in the pound on the amount received. I am aware the Chancellor of the Exchequer is very impecunious and is anxious to receive as much as he can; but I do not think that is a reason why excessive claims should be made. The Amendment I propose would do a great deal to do away with these anomalies. It may be said that we can appeal; but that is not much satisfaction to us. The officials are most anxious to get everybody into the taxation, and they are, as we say, paid by poundage in a way which induces them to get as much as they can. In the interest of the trading community, and particularly in the interest of the smaller traders, who have been heavily taxed of late, it is proper that some such Amendment as I propose should be adopted. I am quite aware that it will lead to a great deal of difficulty. I am aware that it may lead to a considerable amount of loss of revenue; but if it leads to a considerable amount of loss it means this—that a great amount of unfair taxation has been imposed upon those who pay. If it have no effect, all I can say is that adding the clause will not matter at all or in any way injure the Chancellor of the Exchequer.

Amendment proposed,

In page 7, line 40, after "respectively," insert "Provided that no person be required to pay on a larger sum than he actually receives as rent or otherwise."—(*Mr. Bartley.*)

Question proposed, "That those words be there inserted."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I do not propose to reply to my hon. Friend at all upon the grounds of what he calls the impecuniousness of the Chancellor of the Exchequer. I will admit that the Chancellor of the Exechequer has no more severe or disagreeable duty than in connection with the Income Tax. I was rather reminded by the speech of my hon. Friend of a phrase of an hon. Member the other evening, who alluded to the public as being against the Treasury, and seemed to think that the public deserved greater consideration than they received. Sir, the Treasury is the public. It is the great tax-paying community, and it is the duty of the Chancellor of the Exchequer to defend the great aggregate of taxpayers against any special advantages that any special interests may desire to secure for themselves. My hon. Friend speaks of a possible combination of hon. Members in opposition to his Amendment. I do not believe that on his Amendment such a "Plan of Campaign" would be possible, because, in the first place, if a combination of Metropolitan Members were seriously to press their assessment below the proper valuation, as suggested by my hon. Friend——

MR. BARTLEY: I said supposing there was a combination—I did not suggest that there should be—to put them below the proper amount, the

Chancellor of the Exchequer would insist on Income Tax being paid on their real value and not on their artificially reduced rateable value, and that such being the case, it seems only fair that when rateable value is above the real value the Income Tax should be reduced so as to be only calculated on the real value.

MR. GOSCHEN: What the Inland Revenue desire is—as I hope the Local Authorities also desire—to take it on the actual and natural value of the premises. They do not wish to have the Income Tax assessed on a valuation which is too high or on one which is too low. Let me point out that the hon. Member has by no means proved his case. His Amendment is in these words—

"Provided that no person be required to pay on a larger sum than he actually receives as rent or otherwise."

Now, many Members of the Committee will be aware that rent may be higher than what a tenement is really worth or it may be lower. Many hon. Members, perhaps, hold houses for which they have paid a considerable premium on purchasing, and the rent of those houses does not represent what they ought to be assessed at for the purpose of Income Tax or local taxation. I think my hon. Friend will see that it would be wrong that the rent should be taken as a guide when, as a matter of fact, it is not at all an index of the value of the house. It is, therefore, quite impossible to accept the Amendment of my hon. Friend. In the Metropolis Management Act of 1869, an attempt was made to place assessment on as equal a footing as possible, and to protect all householders against any unjust assessment. There can be no desire to raise the Income Tax by over-assessment of any class of property, and I venture to think that the Amendment of my hon. Friend would not carry out his own intention.

SIR ROBERT FOWLER (London): I understand my right hon. Friend to say that he will look into this question in accordance with the pledge he gave to my hon. Friend below me. The right hon. Gentleman the Chancellor of the Exchequer has pointed out that rent is not always an indication of the value of a house, because many people pay large premiums for the leases of houses. But, at the same time, what I understand from my hon. Friend is that there are a large number of gentlemen—and this is not so much the case in the fashionable parts of London, but in other parts—that there are a large number of people who pay Income Tax on an amount of rent which they do not hand over to their landlords, and I think that is deserving the attention of the right hon. Gentleman the Chancellor of the Exchequer. I do hope the right hon. Gentleman will consider this point, though I hope my hon. Friend will not persist with his Amendment.

SIR WALTER B. BARTTELOT (Sussex, N.W.): I would like to call further attention to a point raised by my hon. Friend who first spoke, more especially with regard to cottage property. I think that both the right hon. Gentleman the Chancellor of the Exchequer and this House will agree that anything that anyone can do to improve the dwellings of the poor ought to be done. If the right hon. Gentleman will inquire into the rating of cottages in the country, he will find that they are rated far higher than any sum charged to the persons who occupy them. That, I think, is a point that deserves very serious consideration. I trust he will give to this question that amount of attention which he has devoted to other points which have been raised, and that he will see, in the interest of the labouring classes, that their dwellings are not charged above the rent they pay.

SIR JOSEPH PEASE (Durham, Barnard Castle): The hon. and gallant Gentleman who has just sat down has spoken to the point I myself wish to refer to. I believe that years ago both the right hon. Gentleman the Chancellor of the Exchequer and myself endeavoured, so far as we could, to bring about the establishment of one standard for local and Imperial taxation. If that object could once be obtained, I believe it would prove an invaluable thing to those who have to do with local matters in the country, and I hope that now that my right hon. Friend is Chancellor of the Exchequer he will bring his mind back to where it was some years ago, and endeavour to establish one standard for Imperial and local taxation. I think that if the right hon. Gentleman would do that it would be a great benefit to the country locally, especially as the point that my hon. Friend has raised would come under his supervision. It

would be of enormous local benefit. London has solved this problem for itself—it has been one of its battles—but I think the whole country ought to obtain from the Government a system under which we can secure one and the same system for Imperial and local taxation.

MR. GOSCHEN: It will not be necessary to take my mind back again to the arguments I used years ago, because I still hold the opinions I held in years gone by. I think it would be a very great advantage if one standard could be taken for Imperial as well as local purposes. Any course of that kind would simplify all modes of assessment, possibly all modes of collection also, and might bring about many other advantages; but I warn hon. Members that there are many extremely thorny questions connected with this matter. In many cases, if the same scale is introduced it will be necessary occasionally to raise the rent if the assessment is reduced, as well as to reduce the rent if the assessment is raised. But I sympathize with the general object the hon. Baronet opposite has put forward of having one standard, if it is possible to have it, subject to such modification as circumstances may impose. As to the cases raised by my hon. and gallant Friend (Sir Walter B. Barttelot), I certainly will give the matter attention. I must, however, point out this difficulty to him—that the general view is that property or income should be taxed for that which it will fetch in the market, and that if you once depart from that system you embark on a very unsatisfactory course indeed. You might have a landlord who would let his cottages at merely nominal rents to his labourers, but who, on the other hand, would pay them lower wages. Another landlord might demand higher rents, and at the same time pay his labourers higher wages; and the question is whether they should not be charged equally in respect of their cottages if their value is equal. Ought these landlords to be treated differently in the assessment for Income Tax? I would point out that frequently it may be very misleading to look exclusively at the philanthropic side of the question. To do that might be unfair to others, and I cannot assent to the proposition that property should in that way escape taxation, the balance of which might fall upon people who were carrying out another system.

MR. J. G. HUBBARD (London): I think it would be impossible to accept the Amendment of my hon. Friend (Mr. Bartley), though the proposal is perfectly equitable in itself. I believe it would operate well for the country outside the Metropolis, but it could not work satisfactorily in the Metropolis itself. In the Metropolis there is a fresh valuation every five years. Since 1869 the Metropolis has been subject to re-valuations, which have the effect of making the property rateable for every penny of its value.

MR. CALDWELL (Glasgow, St. Rollox): The principle contended for, that there should be one uniform valuation for the purposes of assessment, Imperial and local, is the principle in force at the present moment in Scotland. According to the law of Scotland we have only one valuation, upon which all assessments, Imperial and local, are based. With regard to the other point mentioned by the right hon. Gentleman the Chancellor of the Exchequer, I may say that, in making up the valuation of property in Scotland, we take into consideration the annual income that might be derived from the property from year to year. I think if the Chancellor of the Exchequer would turn his attention to the law of Scotland he would find good reasons for adopting it in regard to valuations in England. He would find it advisable to borrow from the law of Scotland as regards valuations in England, much in the same way as the Government have found it expedient to borrow from the Criminal Law of Scotland in framing the Crimes (Ireland) Bill.

MR. BARTLEY: After the statement of the right hon. Gentleman the Chancellor of the Exchequer—as he is going to look into the whole question—I am perfectly ready to withdraw my proposal. I would point out to the right hon. Gentleman, however, that in most of the cases I mentioned the premises were not residential, and premiums were in no case paid to go in. They were chiefly business premises, and I referred to the market value. I am, however, satisfied with the right hon. Gentleman's promise to look into the matter, and I am, therefore, prepared to withdraw my Amendment.

Amendment, by leave, *withdrawn*.

Question, "That the Clause stand part of the Bill," put, and *agreed to.*

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to move the clause which stands in my name, and which is—

"Notwithstanding anything contained in 'The Inland Revenue Act, 1880,' or in any Act amending the same, beer brewed by a brewer (not being a brewer for sale) who shall occupy lands for the purposes of husbandry only shall be exempt from duty."

My object in moving this Amendment is to exempt tenant farmers from the payment of the Beer Duty, and I desire to point out the strong feeling that exists amongst tenant farmers that they are in this matter treated most unjustly, and that they have to pay a considerable duty and tax if they brew at home on their own premises, and they ask to be relieved from that tax. It may not be generally known to the Committee—by hon. Members on both sides of the House—that, at the present time, a tenant farmer has not only to pay a licence of 4*s.* or 9*s.*, as the case may be according to his rating, but that he has to pay 3*s.* a bushel on every bushel of malt he consumes in brewing, notwithstanding that the Malt Tax is abolished. Besides that, the farmer who brews has to put up with inquisitorial visits from the Inland Revenue Authorities—visits which, according to the regulations, are made not less than eight times in the year. If he and his wife happen to be at market, they, nevertheless, come into the house and overhaul his brewing papers, and treat him, as I consider, and as they consider, in a most unjust manner. I must point out to the Committee what took place on the last occasion the Government took up the question of cottage brewing licences. The right hon. Baronet the Member for Bristol (Sir Michael Hicks-Beach), when he was Chancellor of the Exchequer, reduced the cottage brewing licences from 6*s.* to 4*s.*, and he was followed by the right hon. Gentleman the Member for Derby (Sir William Harcourt), who, when he was Chancellor of the Exchequer, entirely abolished cottage brewing licences—a step which was received with the greatest satisfaction by all the labourers throughout the country. Therefore, the principle of my Amendment, as regards agriculture, has been adopted by two Governments. The Committee will see that I am not asking anything but what has been already adopted in principle. I wish it to be clearly understood by the Committee that this beer that the farmers are accustomed to brew has nothing to do with the labourers' wages. It is simply beer given from time to time to agricultural labourers at exceptional periods of the year — during the harvest, for instance, at hay time, and at other times. And the beer has this especial advantage when brewed at home, as it is by the farmers—that it is absolutely pure, and can do the labourers no harm whatever. The use of it puts a stop to the necessity for the farmer having to send to the village public-house to obtain a beer which, in many cases, I regret to say, is of an unsatisfactory quality, and does the labourer more harm than good. The beer stupefies them, and the day after they have drunk of it it is not calculated to enable them to do the same amount of work as they would be able to do if they had had pure malt beer brewed by the tenant farmer. Then I would point out this fact, that, in the cider growing country, tenant farmers are actually free, and have no duty to pay whatever, as against the farmers I have referred to. Then the malt that is consumed by the tenant farmers for brewing is probably made from the barley grown on their own farms, and, in many cases, it is made on their own premises. Therefore, this very commodity which they grow on their own farms, and which is prepared before their own eyes, they have to pay duty upon, whilst in the cider-growing country no such tax is imposed. The loss to the Revenue, if my proposal is carried out, will be very small indeed. As the Amendment is drawn, it would entirely abolish not only the licence duty, but the 3*s.* Malt Tax, for the malt consumed in brewing. But I am perfectly ready —and I wish the right hon. Gentleman to pay especial attention to what I am saying—I am perfectly ready to offer a compromise. I would offer this—that the licence duty should still remain as it is, so that the Inland Revenue Authorities might be able to keep a register of all tenant farmers who brew. They should pay the same licence duty as they do at the present time; but I would suggest that the right hon. Gentleman should consider this important point—

that the 3*s.* per bushel payable for malt consumed by the farmers should no longer exist as a tax, and should be swept away. I am perfectly certain that no hon. Members who are connected with the brewing interest can object to this reasonable proposal, especially as I make the proposition that the licence duty should be retained, and that, therefore, the Inland Revenue Authorities should be able to keep records of, and an eye upon, all those who brew. I am sure the brewing interest, in the face of the fact that brewers—as is well known by the right hon. Gentleman the Chancellor of the Exchequer himself—are making fabulous fortunes at the present time, will not resist my proposal, but will bear in mind that the only class who are suffering from the present state of things are the poor tenant farmers, who have to sell their barley at excessively low prices. I am sure the brewing interest will not be able to object to my proposal; and I would urge the right hon. Gentleman the Chancellor of the Exchequer to consider and follow in the footsteps of the right hon. Gentleman the Member for Derby, who rendered valuable assistance to the agricultural interest by sweeping away the cottage brewing licences. I beg to move the clause which stands in my name.

New Clause (Farmers exempted from payment of beer duty,)—(*Sir Edward Birkbeck,*)—*brought up,* and read a first time.

Question proposed, "That the Clause be read a second time."

MR. C. W. GRAY (Essex, Maldon): I must congratulate the Committee on an opportunity having at length arrived for discussing a subject of interest to the tenant farmers. Whatever may be the opinion of hon. Members as to this particular question, every hon. Member will admit that the farmers of England have been most patient under the most severe trials through which they have been passing; and I do most sincerely trust that the right hon. Gentleman the Chancellor of the Exchequer will give favourable consideration to what I believe to be a very reasonable request of the hon. Member for East Norfolk (Sir Edward Birkbeck). This matter has been briefly, but clearly, placed before us by the hon. Member. It seems hard that the farmer who happens to live in a house rated at £9 per annum is obliged to pay a heavy duty for brewing for domestic purposes, while his neighbour, another farmer, whose house is valued at £8 per annum, is exempt. I have no doubt that the right hon. Gentleman the Chancellor of the Exchequer will think that an Amendment of this sort, if carried, will be to a certain extent reducing the funds belonging to the Treasury Chest; but is there any one branch of British industry which is more worthy of consideration and lenient treatment by the Chancellor of the Exchequer, at the present time, than agriculture? The brewing interest, I have no doubt, may have something to say upon this Amendment. Probably we may hear that it would be unfair to the brewing interest. All I can say with reference to an argument of that sort, if it should be raised, is that if the brewing interest is treated severely in the matter of taxation that is no reason why farmers should be treated unfairly. I do not think that two wrongs will ever make a right. It has been pointed out to the Committee that if a farmer happens to live in the cider making country he can make all the cider he likes, not having to pay any licence or duty. He and his family can drink that cider, whilst he is free from anything in the nature of a licence or duty. In the same way, in the fruit-growing districts, a farmer's wife can make an intoxicating drink, and the farmer is free of licence duty or taxation. I challenge the right hon. Gentleman—if that is not too bold a way of putting it—to show that it is not hard on the farmer rated at £8 10*s.* to be subject to the duty, whilst the farmer rated at £8 is exempt.

MR. GURDON (Norfolk, Mid): I do not in the least wish to do anything which might have the effect of, in the slightest degree, encouraging the part payment of labourers' wages in beer. That practice has passed away, and I should be sorry to do anything to revive it. But there are a large number of people who are most interested in this matter, and who fancy that their labourers cannot get on without consuming a certain quantity of beer every day, and who object very strongly to unlimited quantities of beer being brought in from the village public-house—beer over the brewing of which they have no control.

These people are in the habit of brewing, and they think it rather hard that they should have to pay not only licence duty—which I perfectly agree is a fair duty, where it is properly exacted—but a duty of 3*s.* per bushel on their malt, which duty presses very hardly upon them. I sincerely trust that the right hon. Gentleman the Chancellor of the Exchequer will see his way to granting this small boon to this deserving class—this class which deserves consideration, but which, of late, has received very little consideration at our hands.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): If I do not see my way to fall in with the suggestion made to me by several of my hon. Friends, I trust it will not be thought that it is owing to the want of consideration for the present state of agriculture. I have endeavoured to give the proposal my best consideration. The Government entertain a very strong feeling with regard to the present position of agriculture; and I will at once say to hon. Members that I do not propose to argue this question either from the point of view of the brewers, or from the point of view of the loss which would be incurred by the Revenue as the result of the adoption of the proposal contained in this clause. Doubtless the adoption of the proposal would cause a serious loss to the Revenue, and it would be a question what other part of the community should be called upon to make good that loss; but there are other strong arguments, that I would briefly submit to the Committee, which ought to convince hon. Members of the difficulty of accepting the proposal before us. An hon. Member below the Gangway (Mr. C. W. Gray) just now said it was very hard indeed for a farmer rated at £9 a-year, or at £8 10*s.* a-year, that he should be saddled with this duty, and denied facilities for brewing beer for his labourers, while his neighbour, who is rated at £8 per year, is exempt from the duty, and has these facilities conferred upon him. That argument was put forward as a justification for the clause, and it was also mentioned by my hon. Friend behind me (Sir Edward Birkbeck). But the Committee should consider what inequalities the adoption of this proposal would create. While the farmers would have this advantage of being able to brew without duty for their labourers, other employers of labour would be denied it. There might be the village farrier or iron-founder, employing a large number of men, and they might say—"Why should people who occupy land simply for the purposes of husbandry be exempted from duty, while it is imposed upon us and all the rest of the community?" This exemption cannot fairly be claimed on behalf of the farmers unless special grounds are established for that exemption. And what special grounds are there? I say the only special ground is that they grow one of the articles taxed. ["No, no!"] Yes; that they grow one of the articles that is taxed. But if the producers of an article, which is used in the manufacture of a commodity which is taxed, are exempted from duty on the ground that they produce that article, while the rest of the community are not exempted, what would follow? Those who produce the article from which whisky is made would be equally entitled to argue that it is an extremely harsh thing that a duty should be put upon their whisky when they produce the article from which it is made. The hon. Member below the Gangway, in his brief and very clear speech, called attention to the cider and fruit-growing districts where the farmers supply their labourers with cider and with a drink prepared from fruit, and are not taxed in consequence. He asks, if these people are not taxed, why should farmers who produce beer be taxed? Well, the answer to that is that beer is taxed, and cider and drinks produced from fruit are not taxed. If we are to accept the principle that the production of a particular article entitles the producer to escape from taxation upon so much of it as he requires for his own purposes, we should be embarking upon a very dangerous course. I do not think that the farmers, whom I should wish to relieve from this tax, if it were possible with justice to other persons, are the only persons who employ labourers who drink beer to a considerable extent. Hon. Members of this House have told me that they have been in works and manufactories where they have seen large quantities of beer brought in in the middle of the day for the benefit of the men at work. Why should not the employers of these men,

on the same principle, be entitled to say that their workmen should have pure, unadulterated beer manufactured for them duty free? I do not see that there is any ground whatever upon which hon. Members can fairly rest their claim for the farmers, except that they themselves produce one of the articles taxed, and that, therefore, it seems hard that the article you produce yourself should be taxed under your very eyes. But this is the case with regard to every other excisable commodity. If tobacco growing were a general thing in this country, it would be necessary to insist that those who grew it should be taxed on that portion of it which they consumed themselves as well as other people. We should not allow them to supply their labourers with it free from duty—they would have to pay the same duty as everybody else. It seems to me, therefore, that it would be impossible, in justice to other classes of the community, to grant the boon claimed by my hon. Friend for the farmers and their labourers. I do not see the slightest ground upon which the measure he proposes can be justified. It is true the boon has been granted to persons who live in humbler circumstances; but the proposal here made is not to extend that boon to all classes of the community, by whom it would be appreciated, and to whom it would be valuable, but to one special class. I trust that what I have said will not have jarred upon the views of hon. Gentlemen interested in agriculture, and that they will see that I do not resist this proposal from any churlishness as Chancellor of the Exchequer, but because I am unable, with justice to the rest of the community, to give any special boon to any special class. I believe the practice is growing of giving beer money rather than beer during the haymaking and harvesting time—rather than beer, however pure and unadulterated it may be. I should be sorry to discourage that practice. I do not think it would be desirable to hold out any encouragement to farmers to brew, especially as it would be necessary to impose stringent precautions as to their selling of beer. I have not argued that question; but, if I did, I could show the Committee the great peril we should be in if we allowed the farming class a free hand in the manufacture of beer as regards the sale of beer to others than their own labourers. Hon. Members would confer the privilege upon farmers in a large number of districts of brewing beer free from duty, while at the same time they impose upon large employers of labour in other districts heavy charges for the brewing of the same article. Very serious friction would follow the adoption of such a course, owing to the very stringent regulations it would be necessary to impose.

SIR RICHARD PAGET (Somerset, Wells): After the speech we have heard from the right hon. Gentleman the Chancellor of the Exchequer, I hope my hon. Friend will not think it necessary to press this Amendment, in the form of a new clause, to a Division. The right hon. Gentleman the Chancellor of the Exchequer has given us most unmistakable proofs in the present Budget of the sympathy he feels in the agricultural classes. I think my hon. Friend himself will see that the objections stated by the Chancellor of the Exchequer to his proposal are substantial ones. If this were a case in which all farmers were concerned, then possibly there might be a community of feeling on the part of agriculturists in support of a clause of this nature; but it is right to point out to my hon. Friend who moves the clause that the number of those farmers who personally produce the article to any extent, and who would desire to brew at home, is a limited one. The hon. Member probably has in view the farmers of his neighbourhood; but I think, from my experience of the West of England, where brewing by farmers for the benefit of their labourers is practically unknown, that no benefit to any extent would be derived by them from the adoption of his proposal. He attempted to draw a parallel between the beer-producing and cider-making districts; but it is well to remark that the two cases are by no means on a parallel. Cider is made by the farmers, or by anyone else. The farmer is not in a position to derive any special benefit from facilities he has for making cider—other employers of labour are on equal terms with him, whatever their business may be, if they are the fortunate possessors of orchards. Anyone can make cider free from duty without being a person in the occupation of land for the purposes of husbandry only; so that to put this case

of beer brewing as parallel to the advantages which appertain to those who make cider, it will be necessary not to confine it to the cases of the occupiers of land for the purposes of husbandry only, but to leave it open to everybody, whatever his business, who wishes to brew to do so in the way that is here proposed. Whenever I see or hear anything that is at all likely to be of real benefit to the agricultural interest, I should be a most earnest supporter of it; but in this case I do believe that the arguments of the right hon. Gentleman the Chancellor of the Exchequer are not such as can be readily answered. I hope the hon. Gentleman will see his way, under the circumstances, not to press this Amendment.

MR. HENEAGE (Great Grimsby): I always desire to do what I can in the interests of agriculturists, whose prospects are very gloomy at present; but I think the adoption of the proposed clause would affect the farmers of the country injuriously. It would only benefit a few farmers in certain counties, and I think that any good results which might attend it in the case of those people would be more than counteracted by the bad results which would follow in other places. I am glad to say that we are getting rid in some counties of the system of paying part of the labourers' wages in money and part in beer; but if this clause were adopted, I fear that we should only return to a system very dangerous to the labourers, and very much to be deprecated. The labourers themselves are coming to the view that they are much better off with their wages paid in money—they see that they can spend it in beer or anything else they like. If this clause were carried, I am afraid the farmers, in many cases, would force them to take beer instead of a certain amount of wages. I see the hon. Gentleman opposite shaking his head, but I have had practical experience in this matter—I have seen a great deal of the disadvantage which arises from this system. I, myself, experienced great difficulty in dissuading my tenants from using the system. I found it very difficult, indeed almost impossible, to induce the old labourers to abolish the practice; they stuck to it tenaciously; and I am very much afraid, if the Beer Duty is taken off as proposed, farmers generally will return to the old practice. I do not see how we are to deal with the Beer Question without involving the whole question of the national drink of each country. For all these reasons I do sincerely hope that my hon. Friend will not press his clause. I do not think that it will bring any very large amount of advantage to any farmer, while I am certain that to a large number of labourers it will bring very serious disadvantages. It seems to me that that is a point which my hon. Friend has not sufficiently thought of.

MR. QUILTER (Suffolk, South): There seems to be a very suspicious agreement between Members sitting on the two Front Benches upon this question affecting agriculturists. I must say I have heard a great many questions raised in this House affecting this class of the community, but very seldom have I seen them carried to a Division, and when they have been carried to a Division very seldom have I seen the cause of the agriculturists successful. The speech of the hon. Member who introduced this subject entirely represents the feeling of the constituency which sends me here. There is a strong feeling amongst the farming class in my constituency that this is an oppressive impost upon them. That is the case in East Anglia, and I think that if this clause were adopted it would be very favourably received in East Anglia. No doubt, it is very difficult to answer the right hon. Gentleman the Chancellor of the Exchequer on any fiscal matter; but I must say, on behalf of the farmers of East Anglia, that, in my own opinion, if any class are entitled to exemption in the matter of this Beer Duty it is they. I therefore hope that the hon. Baronet will persist in dividing upon this point, and that all the friends of the agriculturists will support him.

SIR EDWARD BIRKBECK: I must say I extremely regret that the right hon. Gentleman the Chancellor of the Exchequer has not seen his way to accept the compromise I offered, and also that he has not pointed out to the Committee what would be the actual loss to the Revenue by the adoption of my proposal. I should like him to state what the loss would be, because I am able to state myself, from actual official figures, that, under my compromise, the loss to the Revenue would be very small indeed. The right hon. Gentleman thinks other classes than the farming class would be

entitled to this concession. I, however, know of no other trade or business in which beer is obtained for labourers in the same way as it is in connection with the farming class. No doubt, beer is supplied to workmen and labourers in other trades, but the custom is for the men to pay for it. I have pointed out that it is not a matter which has anything to do with wages, but that it is a matter of giving beer from time to time to the labourers of the purest quality—and the farmers supply it to the men gratuitously, whether it be beer, ginger beer, or tea. It is given for special work. I must express my great regret that the right hon. Gentleman has not seen his way to meet me in this matter, and I trust that on some future occasion he will be able to do so—some time when there will be more hon. Members representing agricultural constituencies present than there are to-night. Inasmuch as not very long ago I pledged myself to upwards of 600 farmers that I would press this matter to a Division, I shall be compelled to take the sense of the Committee upon my clause.

SIR JOSEPH PEASE (Durham, Barnard Castle): The hon. Baronet opposite has sought to justify himself in pressing this clause to a Division, and before he does so I should like to say a word or two upon it. This seems to some of us entirely an East Anglian movement. In my part of the world I do not know a single farmer who brews, and the whole of this proposal will be to place taxation on some other shoulders rather than on the shoulders that ought to bear it. The highest medical authority we can get on this matter (Sir Henry Thompson) says that alcoholic drink is injurious to any man, whether he performs work in this House or in the field. The effect of brewing for labourers is bad in principle—bad for the labourers themselves, and bad for the farmers. If I followed the hon. Baronet opposite into the Lobby—as I have often had the pleasure of following him there—I am sure I should be doing far more harm to the agricultural interest than I should be doing good. In addition, I should be advocating the placing of burdens upon the shoulders of those who ought not to bear them by decreasing the duties now payable by those who brew.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): Would the right hon. Gentleman the Chancellor of the Exchequer give us some idea of what the loss to the Revenue would be through the adoption of this proposal?

MR. GOSCHEN: I understand—but it has only reached me as a rumour and is not a matter for which I can vouch—that the loss would be some £20,000 or £30,000. I have stated, however, that irrespective of that matter the principle contained in this clause could not with justice be adopted. It would be admitting a principle which would be dangerous with regard to other articles of commerce. My hon. Friend (Sir Edward Birkbeck) will do me the justice to say that I have not in the slightest degree endeavoured to frighten the Committee by pointing to the loss which would accrue, but that I have endeavoured to put the objection to his proposal on more general grounds.

MR. DIXON-HARTLAND: Does the right hon. Gentleman, in the figure he states, refer to the loss under the compromise, or to the whole loss?

MR. GOSCHEN: The whole loss—I have no means of arriving at an accurate estimate. It would depend altogether upon the number of farmers who would brew. If the practice were confined to East Anglia, no doubt the loss would not be very great; but if it were to extend over the whole country it would be very large.

MR. SCLATER-BOOTH (Hants, Basingstoke): I hope my hon. Friend will be content with having placed his views with great clearness before the Committee. Considering the statements which we have heard from the right hon. Gentleman the Chancellor of the Exchequer and the objection he has expressed to granting an exemption in the matter of this duty to one particular class of the community, I trust my hon. Friend will refrain from dividing the Committee upon this clause. I feel sure that if my hon. Friend will so refrain his motives will not be misunderstood, but many hon. Gentlemen sitting round me would be glad not to be forced to a Division against the proposals of the right hon. Gentleman the Chancellor of the Exchequer. It is always a pity to disturb a Budget so carefully calculated as this has been. If the right hon. Gentleman the Chancellor of the Exchequer had shown any indisposition—as has often been the case in former years—to recognize any

special grievance of the owners and occupiers of land, then I think that a Division would not only have been justifiable, but necessary. I do not think, however, that that is the case now. We have arrived at a late period of the Session, and I do not think we ought now to disturb the Budget. By what the right hon. Gentleman the Chancellor of the Exchequer has already done, it is evident that his desire is to do what he can towards bringing about a reduction of the burdens on land. Let us, therefore, wait and see what he can do in another year. For my own part, I attach so much importance to the reduction of the Property Tax, which I think of all taxes is the one at this moment weighing upon property—I consider that is so important that I, for one, should be extremely reluctant to go into the Lobby against the right hon. Gentleman on this occasion.

MR. C. W. GRAY: To go to a Division at this moment would not to any extent further the interest I have at heart. I thank the right hon. Gentleman the Chancellor of the Exchequer for the most courteous answer he has given to my arguments; but, at the same time, would the right hon. Gentleman allow me to point out that he did not reply to the point I raised as to the inequality of compelling the farmer who is rated at £9 or £8 10*s.* to pay the duty, whilst he does not compel the farmer rated at £8 to do so. However, as the matter stands, I would ask the hon. Baronet to withdraw his clause.

Question put.

The Committee *divided*:—Ayes 39; Noes 159: Majority 120.—(Div. List, No. 248.) [12.0. MIDNIGHT.]

MR. BARTLEY (Islington, N.): I now beg to move the following new clause:—

(Meaning of Profits in Schedule D.)

"The meaning of profits or gains in Schedule D of the said Act shall be the net annual profit of the person or Company liable. In the case of banks, insurance, and other companies or businesses where investments are made as part of their business, the meaning of profits or gains in Schedule D of the said Act shall be the net profit and not the gross revenue received from such investment."

I do not wish at this hour (12.15) to inflict a third speech upon the Committee, but there are certain points connected with Schedule D which must be gone into before long. At the present time the Inland Revenue does not collect the Income Tax on the net profits in any sense. There are a number of instances I could give, but I will only give one or two typical ones. I will not go into the assessments, because that matter will be affected very largely by the concession which the right hon. Gentleman the Chancellor of the Exchequer has given on the subject of poundage. I believe that when the system of poundage is abolished, one great means of over-taxing under Schedule D will be done away with, because it will not be to the interest of the collectors and local clerks to put up the assessments. Now, I know that one firm paid Income Tax on over £3,000, although they became bankrupt at the end of the year simply from bad trade. That shows conclusively that in many cases payments are made where incomes are not made. There are cases of depreciation of property which are not taken into account by the Chancellor of the Exchequer. I should like the right hon. Gentleman to listen to one case of depreciation. A Company I had a good deal to do with in establishing, and with which I have been connected ever since it was founded—a Company established for educational purposes—has expended a large sum of money on school fittings and furniture, something like £30,000 or £40,000. We have also spent a large sum on leasehold property. We have had three Income Tax collectors during the last 15 or 16 years. The first collector allowed us to deduct from our profits a certain amount in respect of depreciation of our school furniture and of leaseholds. I consider that collector did his duty, and charged the tax fairly. But the next collector would neither allow us to make a deduction for depreciation of the school furniture nor for leaseholds. The third collector, who is still with us, and who I hope will remain, unless the first comes back, allows us to make a deduction for the depreciation of our furniture, but not for the leaseholds. The point I wish to press on the Committee is this—that in the last 15 years there have been in respect to one Company three different decisions from three different collectors, and that clearly shows there is no uniformity of system. It clearly proves, to my mind, that somehow or other the Chancellor of the Ex-

chequer receives money he ought not to receive. There are many things that are not taken into consideration, but which, I think, ought to be. For instance, there is the reasonable cost of carrying on a business. I have received several letters on this subject; but I will only give the effect of one. There are many Union doctors in the country with private practice who do parish work for the district in which they live. One of these doctors gets £40 for his services and £6 for drugs. He has to pay on the £46, no deduction being made for the cost of materials. I do not think that is reasonable. Then, again, if a man purchases a patent there is no allowance made for the running out of the patent. I think it is only reasonable and fair that some allowance should be made for the depreciation of a patent. There are many other anomalies. I feel bound to refer to the tax paid by bankers, Insurance Companies, savings banks, and others in a like position. Every penny invested in these businesses for the purpose of business is made to pay Income Tax. If a bank, Insurance Company, or savings bank makes a profit, what is paid in Income Tax is deducted from the net balance of the Company at the end of the year; but if a bank, or Insurance Company, or savings bank makes no profit at all, there is no return of the Income Tax. Now, an Insurance Company about which I know a good deal sends in a certificate every year to the effect that the investments of the Company are already chargeable to the Income Tax. The Chancellor of the Exchequer accepts that certificate; he does not require that the Company should pay more on the profit divided among the shareholders. If this is accepted it clearly proves the case, because the income on which the tax is paid is on the various investments which the Company holds. The tax is one on the investments, and not one on the net income of the Company. I know that if my Amendment is accepted it will lead to a complete change in Schedule D. I may say that one institution, a penny savings bank, has succeeded since last year in getting something from the Chancellor of the Exchequer. I am extremely grateful to him for allowing us to do so; because one thing that is clear is that for 15 years we have been paying what we ought not to pay. Although it is acknowledged by the Inland Revenue that some allowance ought to be made to this particular institution for over-paid Income Tax, in respect of the payment of last year and former years, no allowance has been made to us. Although the Company has been conducting its operations for 15 years, it has never paid any dividend, and yet it has been called upon to pay the Chancellor of the Exchequer in the 15 years the sum of £2,500 Income Tax, just as if it had made during that period £100,000 net profit. We are not the only institution of this sort which is treated in the same way. I trust the Chancellor of the Exchequer will be able to hold out some hopes that the various Schedules of the Income Tax will be so readjusted that in all the various Schedules it shall be clear and obvious that the tax, in future, will only be levied on the net profits which a man earns in his business or his trade. I beg to move the new clause of which I have given Notice.

New Clause (Meaning of Profits in Schedule D,)—(*Mr. Bartley,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): If the hon. Gentleman (Mr. Bartley) had called attention to one or two specific difficulties I would have endeavoured to deal with them, but in his speech he has ranged over a vast number of anomalies in the Income Tax, as he alleges them to be; and, therefore, I trust he will dispense me from the necessity of going carefully into all the cases he has mentioned. It would be impossible to defend at this moment all the various arrangements under which the Income Tax is collected. The hon. Gentleman expresses a hope that a system of Income Tax may be devised under which everyone will be satisfied that he is only paying on his real net income. Such a hope is entirely Utopian, because what one man considers his net income another man does not. There are too many views as to what net income is. There are too many views as to what allowance is to be made for depreciation and for bad debts. If the Chancellor of the Exchequer were

to invite my hon. Friend (Mr. Bartley) and all those who complain of the present system to devise a system under which they should only pay on what they considered their net income, my firm belief is it would be necessary to impose an Income Tax not of 7*d.*, but of 10*d.* or 1*s.* There are, no doubt, a vast majority of the persons who pay Income Tax who believe they pay on an unfair principle. I do not wish to hold out any illusory hopes, although I do not retract anything as to my desire to look into the matter. At the same time, I despair of being able to produce a system which would commend itself to all Income Tax payers.

Question put, and *negatived.*

MR. J. C. STEVENSON (South Shields), in proposing the following Clause as to the assessment of Income Tax on the surplus revenue of Harbour Trusts:—

(Assessment surplus revenue of Public Harbour Trusts.)

"Where the accounts of any Public Harbour or Dock Trust show a balance to the credit of revenue after payment of working, maintenance, and management charges, and interest upon the amount of any loans contracted under the authority of Parliament, and such balance or surplus is applied towards the cost of authorised works or improvements or towards the repayment of loans, the duties of Income Tax hereby authorised shall be assessed upon a sum represented by the interest which would have been payable by such trust if the amount of such surplus had been borrowed by the trust at the average rate of interest payable on the loan debt of such trust for the year preceding that for which the assessment is made,"

said, that those Trusts applied their surplus revenue not as profits to shareholders, but for the benefit of their dues-payers. The law was clear enough, as the Courts of Appeal had capsized the liability of such revenues to be assessed. Therefore, he proposed to alter the law. These Trusts had limited powers of taxation, so many pence or farthings on each ton of shipping or merchandize; and to maintain their securities, and borrow at a cheap rate, they were obliged to show in their annual accounts a reasonable surplus revenue. The Tyne Commissioners had thus, in some years, raised £30,000 of revenue beyond their mere annual requirements; but that money was spent before the end of the year for dredging or building piers, or other works of the 8*d.* in the pound, this was a tax of £1,000 a-year for what was not properly income in any sense. Such surplus revenue was spent in lieu of borrowing so much new money, and the reasonable compromise he proposed was that the Income Tax should be assessed on the interest which such new money, if lent by investors, would have earned from the Trust—that is, on £1,200 a-year, interest being 4 per cent, instead of on £30,000. The present system was a discouragement of sound financial arrangements, and he contended that his proposal met the full justice of the case, and begged to move that the clause be added to the Bill.

New Clause (Assessment surplus revenue of Public Harbour Trusts,)—(*Mr. James Stevenson,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

SIR JOSEPH PEASE (Durham, Barnard Castle): I rise to support the Motion of my hon. Friend (Mr. Stevenson), which I hope will commend itself to right hon. Gentlemen on the Treasury Bench. My hon. Friend and I, and one or two other Members of the House, have the honour of being connected with some of these Harbour Trusts. His Trust and my Trust have been very successful; but I want to point out to the Chancellor of the Exchequer that if we manage very carefully, and pay off a loan with our surplus revenue or else reduce our port charges, he gets nothing at all in the shape of Income Tax. But if, on the other hand, we keep a reserve in hand in order that we may have money at our bankers, and conduct our Trust in the most economical way possible, he comes down upon us for Income Tax on the revenue which has been uninvested either in the reduction of dues, or in the discharge of our debt. I think it is a pity that these Public Harbour Trusts, which exist simply for the good of the trading community, should be thus subjected to Income Tax. The arrangement which my hon. Friend proposes is one which certainly commends itself to my judgment, because Surplus Revenue cannot, in these cases, be called profit in the legitimate sense of the word. I am afraid my hon. Friend's Trust has had a considerable amount of Income Tax

nature of capital expenditure—and. at to pay. My Trust has paid very little Income Tax, because, as the money has accumulated, we have either lowered the charges or discharged debt.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): These matters must, I am afraid, be dealt with on a broad principle, and that principle is that, where profit is made, that profit must be taxed. You cannot draw a distinction between profits which are allowed to accumulate and profits which are distributed through different channels. Suppose there is a Gas or Water Company, and that Company makes a large profit, whether the works are in the hands of a Municipal Corporation or a private individual, the profits ought to pay the tax. The distribution of the profits for other public purposes would not, according to law, relieve a Corporation from the payment of the tax. I can assure the hon. Gentleman (Mr. Stevenson) that the only safe line to take in these matters is to lay down certain broad principles, and to adhere to them. Whether profits are made and accumulated or not, if profits are made the view of the law is that they must be taxed, and that principle seems to me the only safe principle to act upon.

MR. J. C. STEVENSON, in reply, contended that the charge was really a tax on capital, and not on profits, and would be levied even on the surplus amounts which Harbour Authorities were obliged to raise for the gradual paying off their debts under the conditions of their Acts of Parliament. He promised that the Chancellor of the Exchequer would hear of the subject again, as the Harbour Authorities in the country were taking it up. I shall, Sir, withdraw the Amendment.

Motion and Clause, by leave, *withdrawn.*

Bill *reported;* as amended, to be considered upon *Monday* next.

NATIONAL DEBT AND LOCAL LOANS BILL.—[BILL 266.]

(*Mr. Chancellor of the Exchequer, Mr. Jackson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

MR. STANLEY LEIGHTON (Shropshire, Oswestry): The right hon. Gentleman the First Lord of the Treasury, and also the right hon. Gentleman the Chancellor of the Exchequer, promised to give me every facility for calling attention to the local indebtedness of the country, and the result of their kind intentions is that I am expected to proceed with a Motion on an intricate matter of local finance at a quarter to 1 in the morning. It would be absolutely impossible for me to discuss such a subject at this hour. This "opportunity" is really no opportunity at all, and I now rise, not exactly to complain, because I know the difficulties the Government are placed in, but simply to say this—that I do hope the present Government will not make the local taxation reformers go into opposition to them. I hope they will give them such support that they will be able to bring forward what they believe to be a matter of vital importance, not only to the ratepayers, but to the taxpayers, and that the right hon. Gentleman the Chancellor of the Exchequer will redeem those early promises he made now 20 years ago, and show that he is anxious to maintain his character for consistency. Consistency is one of those things upon the possession of which the right hon. Gentleman most prides himself. Well, he was an early mover in this question of the reform of local taxation, and the spirit which animated his speeches is precisely the spirit in which I wish to approach the question. I will only read my Motion, without offering any arguments in support of it—

"On Motion for going into Committee on National Debt and Local Loans Bill, to move 'That, in view of the increasing local indebtedness of the Country, no Bill on local loans can be satisfactory which does not provide some limitations on the power of the Local Authorities to mortgage the property of the ratepayers, and insure the discharge of local loans within a period not exceeding twenty-five years.'"

MR. SPEAKER: Does the hon. Member move the Motion?

MR. STANLEY LEIGHTON: No, Sir; but I have no doubt the right hon. Gentleman the Chancellor of the Exchequer will say a word or two with regard to it.

THE CHANCELLOR OF THE EXCHEQUER (MR. GOSCHEN) (St. George's,

Hanover Square): I am very grateful to the hon. Gentleman, both for the consideration he has shown in not pushing his point, and also for the kindly words he has used with regard to my former professions on behalf of the reform of local taxation. I can assure my hon. Friend we should have been extremely glad to have given him an opportunity of speaking at length on this subject, as we should wish to have been able to give many hon. Members who sit behind us the opportunity of ventilating questions in which they take a deep interest. We feel how much consideration has been shown to us in many parts of the House, and we thank hon. Members for having supported us in our action upon the great question with which we have been dealing, and for having given up opportunities of bringing forward matters of great interest to themselves. Looking at the fact that we have been engaged to-day in deciding contested points on a Bill of great importance, and that the Bill which followed that measure has occupied longer than we thought it would, the Committee will see it has been impossible to avoid the loss of the interesting speech which I am sure we should have had from my hon. Friend, and impossible to prevent this matter of local taxation being taken in hand at this inconvenient hour. The hon. Member may depend upon it that Her Majesty's Government are taking this matter into consideration, and will not be behindhand in laying before this House large proposals for reforms in regard to it. I, like my hon. Friend, look with dread on the great increase in the indebtedness of Municipal Authorities; but I do not think that it would be convenient to go into the question of that indebtedness generally on this Bill, which does not deal with the question of loans raised purely locally, but with the National Debt and advances in the shape of local loans. We are raising with far too light a heart enormous local loans, with considerable sacrifice to the ratepayers. The system is one which requires watching. Whilst there are many hon. Members who are anxious to bring about increased expenditure locally, I trust there are many others who will watch the endeavours made in the direction of increasing expenditure, and will take care that the localities shall not be taxed unduly.

MR. F. S. POWELL (Wigan): I would venture to pronounce a few words on this matter, because I have been a Member of the Police and Sanitary Committees of the present Session, and it has been our duty to examine the proposals of the Local Authorities, who suggest large expenditure of money. Every one of the proposals which has been made has been carefully examined into by us, and it has been perfectly competent for the Members of the Committee to raise questions in opposition to the views of the Local Authorities as to the period of repayment. In many cases the Committee has reduced the period over which repayment of these loans extends. They have held, and justly, that by doing that you put a check upon this expenditure. It must be borne in mind, however, that many great centres of population, such as Manchester, Liverpool, Bradford, and Leeds, could not exist without raising large loans for sanitary purposes, such as water and gas works, and it must also be remembered that some of these sanitary purposes, on which not only the health but the very existence of these large communities depends, cannot be carried out unless the time allowed for repayment of the loans is considerable. If the time were short, the burden which would be laid on the shoulders of these communities would be so great that the loans would not be raised, the sanitary works would not be carried out, and instead of having a low death rate—especially in such towns as Bradford and Leeds—you would have a high one, and you would have weakness and poverty arising from disease where now you have strength and plenty. I should be acting very wrongly if I added, at this late hour, one other word to what I have said; but I do hope the House will bear in mind that these matters come every year before its view, and that in dealing with them they should have regard on the one hand to the necessity of curtailing the period over which loans are repayable, and, on the other hand, to the desirability of encouraging great and growing communities, such as I have referred to, to make such expenditure for sanitary purposes as is necessary for their continued prosperity.

SIR RICHARD PAGET (Somerset, Wells): I wish to express my regret that circumstances over which the Government have no control have prevented them from providing facilities for an efficient debate on this important question. It would have been a matter of great satisfaction to us if we could have had an opportunity of dealing with this increasing local indebtedness, which is so apt to be lost sight of in the absence of occasions on which it can be brought under the notice of the country. I am grateful to the right hon. Gentleman the Chancellor of the Exchequer for the measure he is introducing, because, though it will only deal with a portion of the loans, it will deal with those which come under the Public Works Loans Commissioners, so that year by year the duty of the Chancellor of the Exchequer will be to pass in review the number of loans raised under this head. I trust that he will go a step further, and establish a continuous system, whereby we may every year have a local as well as an Imperial Budget. At one time those who called attention to the evils of the present system were aided by the fact that the Chancellor of the Exchequer brought forward a statement relating to local as well as to Imperial taxation. I think that what he has done is a revival of that, and I congratulate him on it. The difficulty of this question of local indebtedness is the spreading of payments over a long period of years. I believe there is nothing more dangerous to a man or to a community than to be able to borrow money with great facility for almost any purpose. The danger is increased by spreading the repayment over a number of years, because the temptation is so much greater to increase the liability—the repayment falling not on those who incur the debt, but on their successors. I trust that in future years the Chancellor of the Exchequer may see his way to repeat the statement he has made this year with respect to the general indebtedness of the country under the whole head of local taxation.

Question put, and *agreed to*.

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

DEEDS OF ARRANGEMENT REGISTRATION BILL.—[BILL 283.]

(*Sir Albert Rollit, Sir Bernhard Samuelson, Mr. Howard Vincent, Sir John Lubbock, Mr. Coddington, Mr. Lawson.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be re-committed in respect of Clauses 5 and 6."—(*Mr. Marriott.*)

Motion *agreed to*.

Bill *reported*, as amended, *considered*.

Bill read the third time, and *passed*.

NATIONAL DEBT AND LOCAL LOANS [FUNDS].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise,—

(1.) The establishment of a Local Loans Fund, and the creation of Local Loans Stock, with a guarantee for the payment of the dividends thereon from the Consolidated Fund;

(2.) The issue of an annual sum out of the Local Loans Fund towards making good in part the losses incurred in respect of Local Loans;

(3.) The issue out of the Consolidated Fund, by way of advance, of any deficiency of income of the Local Loans Fund Account in any year, and the repayment, out of moneys to be provided by Parliament, of such advance;

(4.) The payment, out of moneys to be provided by Parliament, of any amount hereafter directed to be written off as lost on account of any Local Loan.

Resolution to be reported upon *Monday* next

MOTION.

—o—

MUNICIPAL REGULATION (CONSTABULARY, &c.) (BELFAST) BILL.

On Motion of Colonel King-Harman, Bill to amend the Acts relating to the Royal Irish Constabulary, and to make provision for the appointment of a Watch Committee in Belfast, and for other purposes in relation thereto, *ordered* to be brought in by Colonel King-Harman and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 291.]

House adjourned at five minutes after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 20th June, 1887.

MINUTES.] — SELECT COMMITTEE — *Second Report* — Jubilee Service in Westminster Abbey [No. 130].

PUBLIC BILLS—*First Reading*—Deeds of Arrangement Registration * (121).

Committee—Land Transfer (*recomm.*) (105).

Select Committee — Report — Copyhold Enfranchisement [No. 128].

Referred to Select Committee—Smoke Nuisance Abatement (Metropolis) (43).

Report—Copyhold Enfranchisement * (13-129); Pluralities Act Amendment Act (1885) Amendment * (127).

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—REGULATIONS FOR THE POLICE.

QUESTION. OBSERVATIONS.

EARL BROWNLOW said, that in reference to what had been said on Friday night he wished to inform their Lordships that he had placed himself in communication with the Police Authorities, and he desired to inform the House that the police had orders to facilitate the approach of the carriages of noble Lords to Poet's Corner in every possible way. He had further to state that the large number of troops who would be massed that morning would be moved to take up their positions at a quarter past 9, and consequently there would be more crowds in the street subsequent to than before that hour. Particulars relating to the hour, the route, and the regulation of the traffic had appeared in the public Press, officially announced.

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL.—(No. 43.)

(*The Lord Stratheden and Campbell.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD STRATHEDEN AND CAMPBELL: My Lords, I little thought, until I saw the Notice of the noble Earl connected with the Home Office, that I should be required to address the House at all on this occasion. It seems to me that notice is a great but not irreparable error. The few remarks which I shall offer will be directed to give Her Majesty's Government some reasons for abandoning it. At first I felt inclined to speak after the noble Earl; but, on the whole, I think it better to come forward before Her Majesty's Government have more deeply committed themselves to the strange course of barring at the last hour a Bill in which the health of the Metropolis is interested, and which three times has had the sanction of your Lordships. It is quite clear Her Majesty's Government did not intend to take that course when they first asked me to postpone the present stage, and when again a second time they wished for an adjournment of it. Both these requests implied that the Bill ought to go into Committee. In no other sense could they have possibly been made or possibly been granted. A Government is not entitled to urge the author of a Bill to give them time to organize resistance to it. What is the mainspring of the sudden opposition? Until you are informed better, your Lordships may conclude it is the opposition of the Home Office, who fear all new responsibility, although by no means intricate or onerous, and of the police, who think their duties may be partially extended. It is true that the Home Office will be required to examine the bye-laws of the Local Bodies. But those bye-laws will be carried out by the inspector of nuisances belonging to each district; and the Constabulary Force is not involved in a new burden. I only mention that in passing. Departments in our time are not regarded as infallible. A good deal has appeared of late to cast a shade on their authority. It might be invidious to dissect the composition of the Home Office; but it would tend greatly to convince the House that they are not the Leaders to be followed on a subject of this nature. How comes it that the Secretary of State and Under Secretary are both in the same House of Parliament together? Is the Secretary of State unfit alone to represent his Office in that place? If so, he cannot be well qualified to trample upon Bills of which the principle has, after various discussions, been adopted. I will now make every concession which is possible in order to induce the Government to go into Committee. The substance of the Bill is in Clause 4, which gives the necessary power to Local Bodies. When Clause 4 is carried, you reach the point we aim

at, against the smoke of private houses. There is no reason to suppose that vestries will be too precipitate in acting on it. But it has been pointed out before that in consequence of its municipal position the City of London is the first Local Body likely to exert itself. It might be laid down—although I do not urge the change—that until bye-laws have been framed by the City they shall not be framed by any other Local Body. This part of London would be thus secured against disturbance until it had been seen how far mechanical invention satisfied the exigency in the other part. The next clause, which gives the Metropolitan Board of Works a power of interfering with the construction of new houses, might end at the word "therefrom," omitting reference to an existing Act of Parliament. A noble and learned Lord (Lord Bramwell), sometimes an author, more frequently a scourge of legislation, has recently expressed himself against reference in Bills as making them more difficult. He does not go beyond me in disapproval of it, and I have ascertained with pleasure in that clause it is not indispensable. The clause which enlarges the area of Lord Palmerston's enactments against industrial smoke might be omitted altogether. No doubt the area requires to be enlarged, but this Bill is not directed against factories, and everything which regards them might be separately handled. Beyond that, if the Government desire to refer the Bill to a Select Committee, as was suggested by the noble Earl the Lord Warden, they are quite at liberty to do so. It is true that I am adverse to the step, because it diminishes the prospect of the Bill being carried in the Session. But come what may, it would preserve the House of Lords from such a flagrant inconsistency as that of three times assenting to the Bill, and then, without new lights of any kind, resolving to defeat it. It is not to be forgotten that the new position of the Government—from which I trust they will recede—is one of absolute hostility. There are but two grounds on which it could be justified. One is that you ought to prohibit domestic smoke without the medium of a Local Body. In principle I grant it, but such a change would be too sudden for either House of Parliament to sanction. A law of that sort would also be most difficult to execute. The restriction is greatly mitigated when it comes from a Local Body which every householder may influence and a Department may control. The other ground is that domestic smoke ought still to go on unrestricted. To dispose of that plea would be to revert to topics previously exhausted. The whole case was summed up in 1880 by the Hon. Rollo Russell, son of the late Earl Russell, in a pamphlet on London fogs, which I cannot but regard as the ablest composition of many that have come before me on the subject. But I have something new to mention to your Lordships. In Dresden this very Bill has been anticipated. It is the only German capital in which coal from the vicinity of mines is used as ordinary fuel, in which, therefore, smoke obtained a perilous development, however insignificant compared with that of London. I happened to be in Dresden in 1885 when the measure was preparing, and have since been able to inquire into its progress, and become convinced of its utility. The law at Dresden goes, however, far beyond this measure. It imposes a certain kind of fireplace on the householder. We leave him—even when the Local Bodies act—an absolute discretion. He may do anything he likes, except contribute to the darkness of the atmosphere. It would be too long to enumerate the modes in which the end may be secured. I have a dozen ready; some by fuel; some by fireplaces; some by improvement of the chimneys. It has been sometimes urged that the Bill would be unfavourable to the coal trade. It may be that on that ground the Government have unexpectedly determined to oppose it. Whoever glances at the history of the coal trade will see how little it has to fear from any change by which the demand for gas and coke would both be probably augmented. I have statistics here as to the increase—decade after decade—of the coal imported into London, but will not venture to detain the House by giving them in detail. They illustrate the firmness of the coal trade. They also illustrate the mode in which the atmosphere has gradually been worked into the obscurity which hangs upon it. To conclude, if this Bill is carried what will follow? The experiment of restraining smoke will probably be tried during the autumn in the City. If it succeeds in two years, under the

pressure of opinion, the whole of London will be likely to adopt it. All those who value daylight will be immeasurably gainers. If it is thrown out, the evil which requires it is perpetuated. It is not probable that any Bill will be renewed. It is not easy to renew it when this House has unhappily pronounced itself against the mildest form which legislation can assume. No individual and no Minister, after a discussion such as the noble Earl invites, would be encouraged to attempt it. Year by year the sanitary mischief will extend, and be attributed with justice to Her Majesty's Government. My Lords, I trust the Bill may pass with some of the Amendments I have pointed to. But if it is not to do so, at least, to save appearances, it ought to perish by a smoother and more decorous end than that one which the noble Earl has indicated on the Paper.

Moved, "That the House do now resolve itself into a Committee upon the said Bill."—(*The Lord Stratheden and Campbell.*)

EARL BROWNLOW said, that the object of the Bill before the House was one which must commend itself to everyone who was compelled to spend any portion of his life in the Metropolis; but he must express his extreme regret that the machinery by which the noble Lord who had charge of the Bill wished to accomplish this object was not such as could in any way commend itself to the Government. There were two important provisions in the Bill. One of them gave concurrent powers to the police and the Local Authority, and the other had reference to private residences. Up to the present time the duty of proceeding against persons in this matter had rested with the police. In the last 10 years the total number of cases of nuisance from smoke reported by the police was 12,885. The number of cases where the nuisance abated after the proprietor was cautioned by order of the Commissioner was 9,256; and the number of cases where the nuisance abated after the furnaces were inspected by engineers was 816; the total number of convictions under the Act was 1,574. He thought that their Lordships would see from these figures that the police had not entirely neglected their duty in this direction. Furthermore, the police stated that in the area to which the Act applied the nuisance was on the wane. But there were certain cases where the police had no jurisdiction. These were the cases of hotels and eating-houses, where no steam boilers were used. It had been the practice of the police to report these cases to the Local Authority, and to offer to give evidence if proceedings were taken; but he had not been able to find any certain case where the Local Authority had acted in this matter. On the other hand, in country districts, where the Local Authority had control of the matter, the Acts were to all intents and purposes a dead letter, and the result of giving concurrent powers to the police and the Local Authority would be that the police would leave the matter to the Local Authority and the Local Authority would leave it to the police, and nothing would be done. The nuisance would, under these circumstances, be more likely to increase than abate. The Bill for the first time brought private residences under a law of this kind, and he could not help thinking that such a provision would raise a perfect storm of indignation in every home in the Metropolis. Surely, if the House passed the clause which interfered with the cooking of their dinners and the heating of their houses, it ought to be surrounded by every possible safeguard; but the Bill contained no safeguard at all. He objected to the clause which allowed Local Authorities to exempt houses below a certain rateable value, because one house might emit as much smoke as the occupier liked, while the adjoining occupier, who, perhaps, paid £2 more in rates, would be brought within the Act if he committed a like nuisance. The police had found many difficulties in carrying out the Act, and these had already been reported to the Home Office. That Department now had the Report so made under consideration, and inquiries were being prosecuted upon the subject. Until the inquiries were completed and the Returns all sent in, it was perfectly impossible to tell what would be the best method of dealing with the subject. But the Government were perfectly alive to its importance, and the Home Office would not lose sight of it. He hoped, therefore, that the noble Lord would be induced not to press the measure further in the present Session. He moved that the House do resolve itself

into a Committee on the Bill that day three months.

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day three months.")—(*The Earl Brownlow.*)

EARL GRANVILLE said, that although the Government had allowed the Bill to pass the second reading, they now took the unusual course of opposing the further progress of the measure. The noble Earl had stated the case of the Government with regard to the Bill very clearly and with much ability; but he had given no explanation of the course which the Government intended to adopt on the subject of smoke abatement. The question was one which ought to be legislated upon, and the Bill might be altered if their Lordships would allow it to go into Committee. He quite agreed that the Government were the proper persons to deal with the matter, and if the noble Earl had made any declaration with regard to their intentions he should have been satisfied; but all that the noble Earl said was that some change was required, and that the Home Office would carefully consider the subject. There was not the slightest indication of their intention to take definite action. The simple thing would have been to refer to a Select Committee either the Bill or the whole subject, instead of postponing it again.

THE EARL OF HARROWBY said, he shared the disappointment of the noble Earl (Earl Granville) at the want of action on the part of the Government. This was a grave question, and affected the health and happiness of the people of this great Metropolis. Much had been said about legislation upon the subject, and yet nothing had yet been done. He thought that the time had come when the Government should take a bolder line and some definite step. He heard with some alarm of the mysterious inquiries at the Home Office. They ought to get beyond inquiry, and see some proposal of a practical character. Smoke was a perfect nuisance to rich and poor alike, and the present state of things was a scandal to our civilization.

THE DUKE OF WESTMINSTER said, he hoped that the noble Earl (the Earl Brownlow) would consider what had fallen from the Front Opposition Bench and the noble Earl who had just spoken. He (the Duke of Westminster) had been connected for some years with an institute which had taken great trouble and interest in this matter, and it would be a great discouragement to many eminent men if this Bill were to be thrown out, and they were told by the Government that no action was to be taken. It seemed to him absolutely necessary that something should be done to diminish smoke in London, which was increasing so rapidly. He was told that no fewer than 60 houses were added to London for every working day of the year, and that since the beginning of the century the annual consumption of coal had risen from 1,000,000 to 8,000,000 tons. Local Authorities might be permitted to make bye-laws, subject to the supervision of the Home Secretary, to prevent overlapping and arbitrary action. He was afraid that if the Amendment was carried it would be very much misunderstood; and he hoped, therefore, that the Government would consent to refer the Bill to a Select Committee.

LORD MOUNT-TEMPLE said, the apprehension that this Bill might give too much occupation to the police was not well founded. The Local Authorities had never been too enthusiastic against the smoke nuisance. They were themselves producers of smoke and the representatives of smoke producers, and there would be reason to fear that an Act which put responsibility upon them would be carried out too little rather than too much.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, the Government were perfectly alive to the gravity of the subject. He did not suppose there would be any difference of opinion among their Lordships as to the desirability of reducing the volume of smoke in London, and the main objection to the Bill was that it did not afford the means by which alleviation could be secured. A large portion of the Bill was occupied in providing for machinery which must inevitably fail. There were in the Metropolis so many Local Authorities governing such a diversity of areas that it would be impossible, through them, to attain to anything like uniformity; and, as had been said, so many of them were interested as emitters of smoke that they could hardly be ex-

pressure of opinion, the whole of London will be likely to adopt it. All those who value daylight will be immeasurably gainers. If it is thrown out, the evil which requires it is perpetuated. It is not probable that any Bill will be renewed. It is not easy to renew it when this House has unhappily pronounced itself against the mildest form which legislation can assume. No individual and no Minister, after a discussion such as the noble Earl invites, would be encouraged to attempt it. Year by year the sanitary mischief will extend, and be attributed with justice to Her Majesty's Government. My Lords, I trust the Bill may pass with some of the Amendments I have pointed to. But if it is not to do so, at least, to save appearances, it ought to perish by a smoother and more decorous end than that one which the noble Earl has indicated on the Paper.

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pected to see that offenders were punished. As, however, a strong desire had been expressed by several noble Lords that the Bill should be referred to a Select Committee for consideration, he did not think it would be right on behalf of the Government to offer opposition to that course, though he could not hold out much hope that the Bill was likely to become law during the present Session.

LORD STRATHEDEN AND CAMPBELL said, that if his Motion was withdrawn, and also that of Her Majesty's Government, the Amendment of the noble Duke would supersede them.

Amendment and Original Motion (by leave of the House) *withdrawn.*

Bill *referred* to a Select Committee.

ARMY — THE SCOTS GUARDS — THE CAMP AT PIRBRIGHT.—QUESTION.

VISCOUNT MIDLETON said, he rose to ask the Under Secretary of State for War, What steps were to be taken to preserve order and protect the public from outrage in the neighbourhood of the Guards' camp at Pirbright? The noble Lord mentioned several serious offences that had been committed recently in the neighbourhood of the camp.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, that he regretted that the noble Viscount had thought it necessary to make this matter public; but he was obliged to confess that he thought the facts justified it. That such cases should arise was little to the credit of the distinguished battalion of Scots Guards stationed at Pirbright. In justice to the Grenadier Guards, to which battalion the noble Viscount had referred, he must point out that these convictions had taken place in the case of men of the Scots Guards, not the Grenadier Guards. A letter had been written to the General Officer commanding at Aldershot by His Royal Highness's orders, impressing upon him the necessity for making every effort to insure the good behaviour of the men generally at Pirbright, towards civilians especially. There was a party of military mounted police, one non-commissioned officer, and seven privates on duty at the camp, besides the regular police and picquets. From a Return received from Aldershot from the 2nd Battalion Scots Guards, one man was sentenced to one year's imprisonment with hard labour for assault with intent to rob; one man to 10 years' penal servitude for rape. The offences occurred in the month of May, 1887.

LAND TRANSFER BILL.—(No. 105.)
(*The Lord Chancellor.*)
COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE LORD CHANCELLOR (Lord HALSBURY) said, he had endeavoured to meet various suggestions which had been made; but there were three important principles as to which he would state at once he could not make any concessions. He could not accept the suggestion as to annexing the registry of land to the Land Commission, as the Land Commission had important and particular functions to discharge. In the second place, he could not accept the suggestion of at once making universal and compulsory the registration of land. He preferred to wait for the gradual development from time to time of such a system of registration as could be managed by a small staff—a staff to grow in the least expensive way with the increasing work. The whole subject was so extensive that no scheme could be proposed which would satisfactorily deal with the whole of it at one time. There was not in that Bill the least trace of forcing on anybody the registration of his land unless he wished to sell a part of it, and then whether he registered the whole estate or the particular part which he wished to sell was entirely at his own option. With reference to the particular sums to be charged as fees, it would be impossible to deal with that matter absolutely there at present, as it would be necessary that it should go before the House of Commons. There were some Amendments to be proposed in the Bill by his noble and learned Predecessor, which, he was happy to say, he could welcome as improvements of the measure. He now moved that their Lordships should go into Committee on the Bill.

Moved, "That the House do now resolve itself into a Committee on the said Bill"—(*The Lord Chancellor.*)

LORD HERSCHELL said, he thought it would be convenient if he made a few

observations on the Bill before the House went into Committee. Since it had been in their Lordships' hands in a revised form he had given the measure a great deal of consideration; and he entertained some doubt whether its scope and purpose were yet really understood. An impression appeared to prevail that its provisions were more drastic and far-reaching than would actually prove to be the case; and if people were under the belief that it would produce any very speedy result, or that it was a great step in the direction of the rapid realization of a system of complete registration of land in this country, they were likely to find themselves disappointed. He did not himself believe that it would have any very great or immediate result; but yet he thought that it was a step in advance and in the right direction, and that it would not interfere hereafter with any future steps which might be taken for establishing a complete system of registration of land in this country. He had said that the scope of the Bill was not thoroughly understood, and that fact was amply accounted for by the mode in which it was drawn. The whole scheme was nowhere to be found in the Bill itself; but it had to be discovered by carefully studying the Bill, and by studying it in conjunction with the Act of 1875. That was a task of considerable difficulty. The Act of 1875 and its framework were not always known and thoroughly understood even by experienced practitioners in the Legal Profession; and in examining the effect of this Bill they had to grope their way to certain provisions in the former Act, the knowledge of which was absolutely essential to an understanding of this measure. He had himself experienced great difficulty in finding the provisions to which reference was made in the Bill, and after being engaged in the task for an hour or two he flung the two Bills aside in disgust, and postponed their further study till next day, after he should have regained his equanimity. The whole scheme should have been included in the Bill itself. It might be said that if the Bill consisted of more clauses, it would be more difficult to pass it through the other House. Sixty clauses were ample for purposes of obstruction, if obstruction were intended, and delays in discussion were caused by frequent demands for the explanation of complicated clauses which could not be understood without elaborate reference to previous Acts. He thought there ought to have been incorporated in that Bill all that was necessary to render it intelligible, even if that had required 30 or 40 additional clauses to be introduced into it. The evil of the increased bulk of the measure would have been counterbalanced by its greater intelligibility. The Bill proposed that after a certain date, to be fixed from time to time by Order in Council in any district comprised in the Order in Council, a registration of land should be compulsory in this sense—that if the owner sold it he must, before doing so, register the piece that was to be sold; that before settling he must register; and that on the death of the owner it must be registered before anybody succeeded to the legal title to it. It seemed at first sight that that was a measure of considerable violence, but really it was not so. The previous Act of 1875 provided for three kinds of registration, and it was essential to bear that in mind. First, the owner of the land might go to the land registry and obtain the registration of an absolute title. Of course, in that case his title must be thoroughly investigated, and if found satisfactory it was put upon the register, and he obtained an absolute and indefeasible title. Then, if he did not make out an absolutely complete title to the satisfaction of the registrar, but one complete with some qualification, he might obtain the registration of what was called a qualified title, giving him an absolute right, subject only to this or that particular qualification. In the third place, he might register a possessory title—that was to say, that he was in possession of the land at the time of registration. It must be borne in mind that this third way was open to the owner—namely, the registration of possessory title. The Bill after a certain date made the registration compulsory in the cases to which he had called attention; but it left it entirely open what the registration should be. The owner need not register with an absolute title or a qualified title unless he chose; if he had any disposition to register at all he would choose the simplest and the cheapest form of registration—that of the possessory title. But this gave no greater right than be-

fore; and those who entertained apprehensions as to the effect of the measure would do well to bear in mind that all they need register was the possessory title. There was no compulsion on anyone to register except in the case of sale or death of the owner; and, therefore, it would be at once apparent that if they were to bring the Bill into operation over the whole country to-morrow, it would be a considerable time indeed—perhaps a generation—before all the land in the country got on the register. It must, therefore, be understood that the compulsion was really not so serious as some persons apprehended. If they were going to compel the owners to register a possessory title, where he was unwilling to register another, and seeing that he got by the registration of the possessory title on the occasion of his doing so no benefit at all, he maintained that they ought to make that first registration of the possessory title as cheap and as simple as it was possible to make it. He did not think their Lordships had the slightest right, when they were going to give no immediate benefit, to compel a registration such as that, and to make it a burden to the landowner. In the Act which was incorporated with the present Bill, it was provided in the case of possessory titles that the proprietor should give evidence; but he submitted, for the consideration of the noble and learned Lord on the Woolsack, that the registration of the possessory title ought not to require any evidence at all. They ought to be satisfied with the fact that the owner was in possession; by examining the title they were going beyond the proper function in a case of that kind and leading to great expense without any corresponding advantage. Considering, therefore, that the person who registered this title got very little indeed, the fees of possessory registration ought to be very small. If those two principles were conceded such compulsion as there was in the Bill would be carried out without serious burden to the owner or the registry. He believed that the registration of the possessory title was all they would get the landowner to adopt. The system provided by the Act of 1875 had been in operation down to the present time. Owners could register absolute and qualified titles under it; but they had only done so to a limited extent. Why were they to expect owners to do more after this Bill was passed? The reason why registration had not hitherto been taken advantage of to any great extent was owing to the considerable expense entailed in doing so. Men of experience in the Legal Profession said that it was not worth while to register; the cost was so great and the benefit so small. As far as absolute and qualified titles were concerned, therefore, he did not see why there should be any change in the future. There was no compulsion and no greater facility afforded for doing so hereafter than had existed up to the present time. The registration of possessory title, then, would be the first step; but the only direction in which one could hope for anything beyond that lay in the provisions of the Bill dealing with the confirmation of title—that was to say, turning the possessory title into an absolute title. He entirely sympathized with the object of those provisions, and they would receive his support. He found no provision, however, in the clause for investigation of title at that stage, and he invited the attention of the Lord Chancellor to that subject, and with the view of making the first step regarding the possessory title subject to less examination than it was and the confirmation of the title subject to more examination. He certainly urged the Lord Chancellor to encourage in every way the application for absolute titles and confirmation of titles. The Lord Chancellor said he was unwilling to bring the scheme into operation at once, and that he desired to do so gradually. If the scheme were one for the general compulsory registration of title, such as was ordinarily understood by that term, he should agree with his noble and learned Friend; but if all the compulsion consisted in the registration of possessory title, he did not think there would be any difficulty in bringing the scheme into operation at once. His noble and learned Friend also feared a block of work. But why should there be? The registration would consist for the most part of possessory titles, and with a good staff the authorities might be prepared to deal with the whole of the work to the extent to which compulsion was really enforced in the Bill. The points would have to be decided in Committee as to whether an absolute or

only a guaranteed title should be given to those upon the Register as owners, and as to whom compensation should be given in the event of the wrong person being on the register.

Motion *agreed to;* House in Committee (on Re-Commitment) (according to order).

Clause 1 *agreed to.*

Clause 2 (Registration required to carry legal estate).

LORD HERSCHELL said, he moved to amend the clause by so altering it as to do away with the necessity of registering before sale. The effect of the amendment would be to prevent the necessity of two registrations instead of one.

Amendment *moved*, in page 2, line 7, to leave out from ("it shall be") to ("his behalf and") in line 10.—(*The Lord Herschell.*)

THE LORD CHANCELLOR (Lord HALSBURY) said he could not accept the Amendment, because anybody selling the land ought to be in a position to register the whole of it at once.

THE EARL OF KIMBERLEY pointed out that a man might desire to sell a portion of an estate in very small lots for building, and he could not say what particular portion he might from time to time be able to dispose of. It would be a great hardship that an owner should be obliged to register his whole estate on account of such small sales. A description of the land would be required, and the whole proceeding would involve a solicitor's bill, with no corresponding advantage.

LORD HALSBURY said, that there would not necessarily be any solicitor's bill at all. There was no question of title. If an acre was to be sold the only question would be whether the acre was properly described.

On Question, "That the words proposed to be left out stand part of the Clause?"

Their Lordships *divided:*—Contents, 40; Not-Contents, 16: Majority, 24.

LORD HERSCHELL said, he had an Amendment to move providing that, until a proprietor of the land had been registered, a person succeeding under the will or on the intestacy of any person dying after the day specified to the fee simple of, or a life estate in the land, if freehold, whether subject or not to incumbrances, or to the whole interest or a life estate in the land, if leasehold, should not—

"Obtain any legal estate in such land; provided, always, that nothing contained in this section shall interfere with the rights of any person to obtain registration."

The section which he desired to amend provided that the person succeeding as stated should not be capable of exercising or creating any legal rights in or over the land, or of exercising any equitable right in respect of the land, except for the purpose of obtaining registration, but this, he thought, would leave a person succeeding under the will or on the intestacy of another in a very difficult position. It would frequently happen that something would require to be done immediately to prevent irreparable damage to property, and according to this Bill there would be no one to do it until registration was effected.

Amendment *moved*,

To leave out lines 33, 34, 35, and insert ("obtain any legal estate in such land; provided always, that nothing contained in this shall interfere with the right of any person to obtain registration and on").—(*The Lord Herschell.*)

THE LORD CHANCELLOR (Lord HALSBURY) was understood to say that the Bill would not restrict the action of those rightly undertaking the duties of administration.

Amendment (by leave of the Committee) *withdrawn.*

LORD THRING, on the same clause, moved an Amendment to the effect that a conveyance of a registered fee-simple should not pass the title, but only operate as a contract to sell, and the costs should not be allowed on taxation

Amendment *moved*,

In page 2, line 7, leave out from ("specified") to end of clause and insert ("the conveyance or transfer on the occasion of a sale of the fee simple in possession of any unregistered freehold land situate in any such district as aforesaid, or of the whole estate in any unregistered leasehold land (which is capable of being registered under the Land Transfer Acts) situate as aforesaid, shall operate only as a contract, and shall not pass any estate in the land, and the costs of any such conveyance shall not be allowed on taxation").—(*The Lord Thring.*)

THE LORD CHANCELLOR (Lord HALSBURY) could not accept the Amendment. The object of the Bill was to bring all land upon the register.

Amendment *negatived.*

Clause *agreed to.*

Clause 3 to 10, inclusive, *agreed to*, with Amendments.

House resumed; and to be again in Committee on *Thursday* next.

House adjourned at a quarter past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 20th June, 1887.

MINUTES.]—SUPPLY—*considered in Committee* — CIVIL SERVICE ESTIMATES; CLASS I. — PUBLIC WORKS AND BUILDINGS, Votes 1, 2, 3

PUBLIC BILLS — *Ordered* — *First Reading* — Public Worship Facilities * [292]; Returning Officers' Expenses * [293].

First Reading—County Courts Consolidation * [294].

Committee—Coal Mines, &c. Regulation [130], *debate adjourned;* Allotments and Cottage Gardens Compensation [167]—R.P.

Committee—Report—National Debt and Local Loans [266.]

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (No. 5) * [280]; Local Government (No. 7) * [282]; Local Government (No. 8) * [286].

Report—Tramways (No. 2) * [271].

Considered as amended—Gas and Water * [248].

QUESTIONS.

LUNACY COMMISSIONERS (IRELAND)—THE REPORT.

MR. W. REDMOND (Fermanagh, N.) (for Mr. W. J. CORBET) (Wicklow, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, When the annual Report of the Lunacy Commissioners, Ireland, will be presented to Parliament?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, he was informed that the Annual Report of the Lunacy Commissioners (Ireland) was in the printer's hands, and would be shortly issued.

BOYCOTTING AND INTIMIDATION (IRELAND)—ACTION OF JEREMIAH HEGARTY, MILLSTREET, CO. CORK.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that Jeremiah Hegarty, the head bailiff of the Cork Defence Union at Millstreet, latterly, after promoting the eviction of a man named Kelleher, visited and intimidated several people in the neighbourhood by threatening them with eviction if they afforded Kelleher any shelter?

MR. JOHNSTON (Belfast, S.) asked, if this was the same Jeremiah Hegarty who recently wrote a certain letter to a Cork newspaper?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, he believed this was not the same Jeremiah Hegarty as was alluded to by the hon. Member (Mr. Johnston). With regard to the Question on the Paper, he was informed that the allegations were entirely without foundation.

DR. TANNER (Cork Co., Mid) said, this was the same Jeremiah Hegarty as the one alluded to by the hon. Gentleman (Mr. Johnston). He asked the right hon. and gallant Gentleman if the Castle had effectually inquired into the alleged shooting of this man Hegarty, who had lately been appointed to the Commission of the Peace?

COLONEL KING-HARMAN said, the Question of the hon. Member was with regard to Hegarty, the head bailiff——

DR. TANNER: It is the same man.

COLONEL KING-HARMAN: And it was with regard to the head bailiff that he had made inquiries, and not with regard to a man who had been appointed to the Commission of the Peace for Cork. With regard to Jeremiah Hegarty, the head bailiff of the Cork Defence Union, the facts were as follows:—Kelleher did not owe any rent. He was not a tenant at all. He lodged in the house of a man named Murphy, who was a weekly tenant in Millstreet, and owed 18 weeks' rent. He was evicted, and his friend Kelleher had to go with him. Kelleher afterwards lodged with a woman named Bryan, and subsequently went to the workhouse.

DR. TANNER: Is it not a fact that, owing to the intimidation of Hegarty,

the woman Bryan turned him out of the house?

COLONEL KING-HARMAN: I have no information to that effect.

LABOURERS ACTS (IRELAND) — RETURN OF OPERATION OF THE ACTS.

MR. W. REDMOND (Fermanagh, N.) (for Mr. W. J. CORBET) (Wicklow, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, When the Return ordered, showing the working of the Labourers Acts (Ireland) will be laid upon the Table?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the Local Government Board hoped to have the Return ready this week.

SOUTH AFRICA — CHURCH OF ENGLAND—THE SEE OF NATAL.

MR. KIMBER (Wandsworth) asked the Secretary of State for the Colonies, With reference to the Petition of the Church Council of the Church of England in Natal, praying that Her Majesty would be pleased to issue Her mandate for the Consecration of the Rev. Sir G. W. Cox, baronet, to be a Bishop, with a view to exercising the Episcopal Office in Natal, and which Petition was answered by the Secretary of State on 15th March, 1887, to the effect that the Archbishop of Canterbury had signified that he did not propose to apply for such mandate; and, what are the reasons of His Grace for refusing to apply for such mandate?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Upon receiving Notice of this Question I thought it desirable to communicate with His Grace, and I have his permission to read his reply, which is as follows:—

"19th of June, 1887.

"Dear Sir Henry Holland,—It rests in the discretion of the Archbishop of Canterbury whether or no he should in any particular case ask for a Royal mandate for the consecration of a Colonial Bishop. I should prejudice this discretion for the future were I to admit that I am under any obligation to state, directly or indirectly, the reasons which may in any actual instance have influenced my decision. The Question addressed to you has reference to a case which involves many complex considerations. Those interested in the matter may, perhaps, be referred to a joint letter written by the two Archbishops and four other Bishops on February 6, 1885, and published at the time.

"Yours very faithfully, EDWD. CANTUAR."

INLAND NAVIGATION AND DRAINAGE (IRELAND) — DRAINAGE OF LOUGH ERNE—COST AND INCIDENCE.

MR. JOHNSTON (Belfast, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the estimated cost of the drainage works at Lough Erne; how much has been advanced to the Lough Erne Drainage Board for drainage purposes, and how much for navigation; when were the works commenced, and within what period were they to be completed; what further advances have been applied for, and what additional money is proposed to be lent, and on what security; who is the contractor for the works, and under what supervision are they carried out; what are the proportions of the money advanced which are to be repaid by the landlords and tenants respectively; when will the works be finished; and, what benefit has been conferred on the district thereby?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): Perhaps the hon. Member will allow me to answer the Question. The estimated cost was £104,000—£74,000 for drainage and £30,000 for navigation. The amount sanctioned for drainage was £124,000, including an additional loan of £50,000. The amount sanctioned for navigation was £30,000, £15,000 of which was a free grant, and £15,000 a loan. There was advanced for drainage £120,060, and £30,000 for navigation. The works were commenced in November, 1881, and were to be completed on March 1, 1885, but the time was extended to March, 1888. A further advance of £20,000 to complete the work has been applied for. The securities of all advances consist of rent-charges on the land within the area of the district, and of county presentments for the navigation loan of £7,500. A contractor has been carrying out one part of the works, and the remainder will be carried out by day work, under the supervision of Mr. James Price, the engineer of the District Drainage Board. When the expense is closed the whole amount of the loan for drainage will be charged on the land, and the charge payable by the large proprietors liable will be determined under the award. The increase of rent payable by the tenants, should

they not come to terms with their landlord, can be fixed by the Board of Works on the application of the latter. It is expected that the works will be finished in March, 1890, and the Drainage Board is about to introduce a Bill extending the time for completion. Great benefit will be conferred on the district; but the amount of the benefit cannot be ascertained till the completion of the works.

EDUCATION DEPARTMENT — THE BRADFORD SCHOOL BOARD—RAISING OF THE STANDARD FOR HALF-TIME WORKING CHILDREN.

MR. BYRON REED (Bradford, E.) asked the Vice President of the Committe of Council on Education, Whether his attention has been called to the complaints of working-class parents in the borough of Bradford, in consequence of the recent raising of the standard of instruction for half-time children in that town; whether this has been carried into effect by the Bradford School Board in consequence of peremptory instructions from the Education Department, without reference to the very exceptional conditions which prevail in Bradford with reference to half-timers; and, whether steps will be taken, in view of these exceptional circumstances, to relax the instructions issued by the Education Department to the Bradford School Board?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford), in reply, said, the by-laws at Bradford had formed the subject of a long correspondence, and the school board, after full consideration, determined to raise the standard for half-timers from the second to the third. It was a mistake to suppose that the Education Department have the power to issue any instructions to compel school boards to alter their by-laws. Action in this cas as taken by the school board itself; but the Department commended and approved the course they have adopted.

POST OFFICE (IRELAND) — RURAL MESSENGERS — THE MESSENGER FROM THE CURRAGH CAMP TO SUNCROFT, CO. KILDARE.

MR. LEAHY (Kildare, S.) asked the Postmaster General, If it is true that James Rourke, the rural postal messenger for the last 14 years between Curragh Camp and Suncroft, County Kildare, is deprived of many advantages which his class are entitled to in consequence of his not being officially appointed through some error in furnishing his baptismal certificate; whether the production of it, bearing date the 26th March, 1837, entitles him to be so placed from the time of his appointment, and enables him to get the usual five years' badge with small increase of pay which the faithful discharge of his duty has earned for him; and, if he will take his case into consideration?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): When James Rourke was first employed as an unestablished rural postman between Curragh Camp and Suncroft in September, 1874, he was already over 37 years of age, even supposing him to have been born, as the hon. Member supposes, in March, 1837, and he was therefore too old for an established appointment, for which the limit of age was 35. Being only an unestablished servant of the Department, Rourke is not eligible for a "five years' badge," or for any other advantage attending an established appointment.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—APPOINTMENT OF EXAMINERS FOR THE ANNUAL EXAMINATION OF TEACHERS.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Commissioners of National Education in Ireland have yet appointed examiners to conduct the annual examinations of teachers to be held in next July; whether the name of each examiner will appear on the papers set by him, as is the case with all other Examining Bodies; and, whether, in compliance with the unanimous request of the teachers of Ireland, the notifications of the results of the said examinations will be forwarded to the individual members, and not to the managers, as they have recently been?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the Commissioners of National Education had appointed examiners to conduct the annual examination of teachers next July. The name of each examiner would appear on the papers

set by him. The Commissioners, however, could not undertake to comply with the request of the teachers, that the notifications of the results of the examination should be forwarded to the individual instead of, as hitherto, to the managers. To do so would involve the infringement of one of the Commissioners' Rules.

INDIA (THE COVENANTED CIVIL SERVICE) — COMMISSION OF INQUIRY INTO THE ADMISSION OF NATIVES —DESPATCH OF THE EARL OF KIMBERLEY, 15TH JULY, 1886.

MR. KING (Hull, Central) asked the Under Secretary of State for India, Whether he will lay upon the Table of the House a Copy of the Despatch of the Earl of Kimberley of 15th July, 1886; whether the Despatch instructed or authorized the Government of India to appoint a Commission; and, if so, whether it defined the terms of the appointment; whether the instruction was limited to an—

"Inquiry into the admission of Natives of India to offices formerly reserved exclusively for members of the Covenanted Civil Service;"

and, if so, if he will explain why the inquiry, as shown by the Copy of Resolutions of the Indian Government, lately issued as a Parliamentary Paper, was first enlarged so as to—

"Embrace the employment of Natives not only in the Covenanted Service, but also in the Uncovenanted Service generally,"

and has since been enlarged to—

"Embrace the question of the admission of Natives and of Europeans in all branches of the Uncovenanted Service;"

whether this was done by express instructions from the Secretary of State, and when given; whether these proceedings are in preparation or substitution for the Parliamentary inquiry proposed by the noble Lord the Member for South Paddington (Lord Randolph Churchill), and adopted by the late Government; and, if so, whether the Secretary of State intends that an inquiry, conducted by the Indian Government itself into the details of its own administrative staff, shall be accepted as a satisfactory basis for reform or re-construction, and the subject is to be withdrawn from the control or supervision of Parliament; whether the evidence will be laid before Parliament, and an opportunity will be given of discussing any plan of re-construction before it receives the sanction of the Secretary of State; and, whether it is the intention of the Secretary of State to postpone all action to relieve the admitted grievances of the Uncovenanted Service until the Commission has reported?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: The alleged grievances of the Uncovenanted Service in regard to leave and pension rules have been some time under the consideration of the Secretary of State; but his decision has been delayed, under the impression that the Government of India had referred to the Public Service Commission some of the points under discussion. He has, however, now been informed that this is not so. He will, therefore, proceed to deal with that matter without further delay; and, as soon as the Correspondence with the Government of India is completed, will consider what Papers can be laid upon the Table.

THE TITHE AGITATION IN WALES— DISTURBANCES IN DENBIGHSHIRE

MR. OSBORNE MORGAN (Denbighshire, E.) asked the Secretary of State for the Home Department, Whether it is true, as stated in *The Daily News* of the 17th June, that in the conflict arising from the enforcement of the payment of tithes, which took place at Mochdre, last Thursday, between the people of the village and the soldiers and police, 18 or 20 persons (including several inoffensive spectators) were seriously wounded by the police, who are alleged to have used their batons freely on the crowd; and, whether the Government have received any Report on the subject?

MR. T. E. ELLIS (Merionethshire) also asked the right hon. and learned Gentleman, Whether his attention has been called to the report in *The Daily News* and other morning papers of tithe collections in Mochdre, North Wales, in which it is stated that the police, upon their own initiative, charged the crowd, and used their batons right and left upon the heads of every man they came upon, irrespective of age; whether the police attacked and severely wounded a lame old man who was busy with his crops in an adjoining field; whether Mr. William Jones, of Tan-yr-allt, and Mr. Hugh Roberts, who were quietly conversing, arm in arm, were knocked down by the police; whether several onlookers were batoned, kicked, and most seriously

wounded; and, whether he will take steps to inquire into the conduct of the police, and prevent wanton attacks on unoffending persons?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have to-day received a Report from the Chief Constable of Denbighshire, who informs me that on the occasion in question an organized attack of a wanton and unprovoked character was made upon the police by a large body of villagers, numbering about 500, who had been summoned from the surrounding country by the firing of cannon, hoisting of flags, and blowing of horns. The police at first defended themselves with their fists, but were compelled to draw their truncheons in self-defence. The lame man alleged to have been attending his crops in a field was seen behind a hedge in a threatening attitude with two large stones. He was cautioned by the police, but not struck. The Chief Constable is not aware of any simple onlooker having been struck; but persons who assemble on such occasions must do so at their own risk. Several persons received injuries on both sides; but, as far as the Chief Constable has been able to ascertain, no one was very seriously hurt. The soldiers took no part in the *melée*. I do not intend to institute any inquiry into the conduct of the police, whose action, as far as I am able to judge from the Report, was justified by the provocation received.

MR. E. ROBERTSON (Dundee) asked whether the right hon. and learned, Gentleman could inform the House whether the tithe dispute been Christ Church, Oxford, and their Welsh tenants had been settled or not?

MR. MATTHEWS: No, Sir; I have no further information on that subject. All I have heard is that the Dean and Chapter have not allowed any abatement.

MR. OSBORNE MORGAN: In consequence of the unsatisfactory character of the answer of the right hon. and learned Gentleman, I shall call attention to the subject at the earliest possible moment.

MR. T. E. ELLIS asked, whether the attention of the right hon. and learned Gentleman had been called to the following passage, which appeared in *The Times* of this morning—

"In reference to the Questions put to the First Lord of the Treasury by the Welsh Members as to the origin of the disturbance at Mochdre, and the vigorous attack by the police on the people, Mr. Elias Hughes, of Colwyn Bay, bard and poet, who lies at his house suffering from a broken arm and a severe scalp wound, says:—'On Thursday last I was following the mob up a narrow lane leading to the farm called Ymynodd. The police were in front of the people. There was a consultation at the farm, and the farmer paid his tithes. In returning the police, being desirous of getting closer to their military support, rushed through the crowd, which closed up again. I was then in front of the crowd and near the police, and hemmed in on both sides by hedges when the charge came. I thought I would not be attacked, as I had not uttered a word nor incited the crowd by gesture. A constable, however, seized me by the throat and drove me up against the hedge. Seeing others being batoned all around, I put up my arm to guard my face. The result was that the officer struck me an awful blow with his baton, which broke my arm, and while my arm was hanging defenceless two other brutes ran up and struck me heavy blows on the skull, hitting me insensible;'"

and whether the right hon. and learned Gentleman would make inquiry into that accusation, and whether he considered a broken arm a serious injury?

MR. MATTHEWS: Of course, Sir, I consider a broken arm a serious injury. I have not seen the report to which the hon. Gentleman refers; and all I can say is that it is inconsistent with the Report I have received from the Chief Constable.

LAND COMMISSION COURTS (IRELAND)—SITTINGS AT ROSCOMMON—APPEALS FROM CO. LONGFORD.

MR. CAREW (Kildare, N.) (for Mr. T. M. HEALY) (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it the fact that the appellants from County Longford, in the Land Courts, will have to go with their witnesses to Roscommon on Thursday next, and could no more convenient arrangement be made for hearing Longford rent appeals?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, that he was not quite satisfied with the explanation given by the Land Commisioners as to why the applicants from County Longford were to be compelled to go with their witnesses to Roscommon on Thursday next. He had telegraphed for further information.

THE PUBLIC FUNDS — INVESTMENT OF SMALL SAVINGS, &c.—FURTHER LEGISLATION.

MR. FENWICK (Northumberland, Wansbeck) asked the Postmaster Ge-

neral, Whether the Government is prepared to bring in a Bill to provide further facilities for small investments in Government Stock, and for further increasing the usefulness of Post Office Savings Banks; and, if so, whether he can state when the Bill will be introduced?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, he was not yet in a position to give an answer to the Question.

EDUCATION DEPARTMENT—NUMBER AND PARTICULARS OF CIVIL SERVICE WRITERS EMPLOYED—EXCLUSION FROM OFFICE ON JUBILEE DAY.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Vice President of the Committee of Council on Education, How many Civil Service Writers are engaged in his Department, and how many of these have been employed there for upwards of three years, how many for upwards of five years, and how many for upwards of 10 years, and whether they are hired by the day; how many writers employed in the Education Office are engaged in rooms overlooking Whitehall; and, whether these rooms will be occupied on Jubilee Day by any persons other than officials of the Department; and, if so, by what persons and upon what grounds the writers will be excluded to make room for strangers?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The space at the disposal of the Education Department is quite insufficient even for the permanent officials, and, therefore, it has been found necessary to refuse many applications even from them. It is only right that the permanent members of the Civil Service, including the Inspectors, should have precedence; and the Department have been reluctantly obliged to refuse tickets of admission to the writers simply because there is no room.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE ROYAL PROCESSION.—THE PROVINCIAL PRESS.

SIR ALGERNON BORTHWICK Kensington, S.) asked the Secretary of State for the Home Department, Whether it is the fact that the Metropolitan Police Authorities have refused to the accredited London Representatives of the Provincial Newspapers the facilities for passing along the route of the Royal Procession on Jubilee Day, which are granted to the reporters of the London newspapers, these facilities having been granted on previous occasions of great public moment?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No, Sir; it is not a fact. I am informed by the Chief Commissioner that more passes have been issued to Press representatives than on any previous occasion. In addition to the various Press Agencies who report for the Provincial Press, separate passes have been given to a certain number of leading Provincial papers having London offices.

CAPTAIN PENTON (Finsbury, Central) asked the Secretary of State for the Home Department, Whether he will consider the advisability of extending to prison warders of Metropolitan Prisons the same recognition of their services on Jubilee Day as has been already promised to the members of the Metropolitan Police Force?

MR. MATTHEWS: The question of giving some pecuniary recognition to the police in view of the arduous and special duties they will have to perform on Jubilee Day is now under consideration. I am not aware that the warders of the Metropolitan Prisons have any claim on similar grounds.

MR. CHILDERS (Edinburgh, S.) asked whether, seeing that hon. Members had a hard day before them to-morrow, the right hon. Gentleman the First Lord of the Treasury would move the adjournment of the House that night after the second Order on the Paper had been disposed of?

THE FIRST LORD (Mr. W. H. SMITH (Strand, Westminster) said, that he was as desirous as any Member could be that the House should not be called upon to sit till an unreasonably late hour that night; but it had been intended to discuss the Peninsular and Oriental Contract that night. If, however, it was the wish of the House that it should be postponed, he would be happy to adopt the course suggested by the right hon. Gentleman, though he should be obliged, in the course of this

week, to ask the House to accept or reject the Mail Contract.

In reply to Mr. W. LOWTHER (Westmoreland, Appleby),

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University) said, he hoped that this would be the last statement he should have to make to the House on this subject. The stand for Members and their friends, facing Parliament Street, would be open at 8 o'clock on Tuesday morning, and he hoped they would be there by half-past 9. After making a provision of two tickets for each Member, and the Officers of the House who had not seats in the Abbey, he proposed, and he was sure that he should have the assent of all the Members, to place these tickets at the disposal of the gentlemen of the Press who so ably assisted them in the House.

In reply to Mr. SETON-KARR (St. Helen's),

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, in the absence of any local circumstance with which he was not acquainted, there was no doubt that Volunteers might take part in the Jubilee processions; and he thought, after that intimation, any corps which had not received notice of the recision of the prohibitory order need have no hesitation in taking part in the processions.

MR. PICKERSGILL (Bethnal Green, S.W.) asked, whether it was a fact that the Chief Commissioner of Metropolitan Police had granted permission for public-houses to remain open until 2 o'clock a.m. on Wednesday morning; and, if so, whether that permission had the sanction of the Home Secretary?

MR. COBB (Warwick, S.E., Rugby) asked, whether in country places Magistrates in Petty Sessions alone had power to grant these extensions; whether they could be granted on the requisition of an officer of an Association on behalf of all the members of the Association without individual application?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I am informed that the Chief Commissioner of Police has received many thousands of applications from licensed persons for permission to keep their premises open beyond the usual hour on Tuesday night. It has been found impossible to grant each applicant an occasional license from mere lack of time, and Superintendents of Police have accordingly received instructions not to take proceedings against licensed persons keeping their houses open till 2 a.m. on Wednesday. Licensed persons have, however, been informed that they will be responsible to the Commissioner of Police for any drunkenness or disorder taking place on their premises. The Chief Commissioner of Police is by Statute the Local Authority for the Metropolis; and discretion in extending the hours during which licensed premises may remain open is vested in him by Statute. The Commissioner informs me that applications for leave have been extraordinarily numerous, and by no means confined to the members of the Society referred to by the hon. Member. The law on the subject is to be found in 35 & 36 *Vict.* c. 94. The Local Authorities in the country are two Justices of the Peace in Petty Sessions assembled; and there must be an application by an applicant for leave to keep open licensed premises, and the magistrates are not to grant an occasional license without an application having been made.

MR. COBB asked, whether the right hon. and learned Gentleman would make any representation to the magistrates on the subject?

[No reply.]

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked, whether the attention of the right hon. and learned Gentleman had been called to the 29th clause of the Statute, which made it imperative that every licensed victualler should apply to the Local Authority for his house to remain open beyond the usual hour, and if those licensed victuallers who had not made application would not be liable for penalties; also whether the Chief Commissioner of Police for the Metropolis was not the Local Authority in London; and, whether a similar extension would be granted to the publicans in the City by the Chief Commissioner of the City Police? If that permission were granted for the whole of the Metropolis, he believed that about 15,000 people would be employed in making people drunk to-morrow night.

MR. ARTHUR O'CONNOR (Donegal, E.) asked whether, on previous occasions of a similar character to the pre-

sent, drink had not been distributed gratis and abundantly to the people of London; and, whether this precedent would not be followed on this occasion?

SIR WILFRID LAWSON wished to know whether those publicans who had this general wholesale permission, but who had not made personal application, would not be liable to be proceeded against by private persons for every drop of drink they sold after the statutory hour of closing?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam) said, the hon. Member could not expect him to answer a Question on a legal point without Notice.

SIR WILFRID LAWSON: Then the publicans would sell drink at their own risk?

MR. T. W. RUSSELL (Tyrone, S.) asked whether, notwithstanding the instruction to the police, those who sold drink without a special licence could not be proceeded against by private individuals?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that depended upon the terms of the Statute. His impression was that they could.

SIR WILFRID LAWSON: Then these publicans must be prepared for prosecutions.

AFRICA (WEST COAST)—THE GAMBIA—ACTION OF THE FRENCH AT BADIBOO.

MR. HOWORTH (Salford, S.) asked the Secretary of State for the Colonies, Whether Her Majesty's Government have received information that officers of the French Government have hoisted the French flag in Badiboo, which country is on the banks of the British River Gambia, and is under British protection; and, what steps Her Majesty's Government are taking to protect British rights and interests in the territories of the Gambia Colony?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Her Majesty's Government have received information from Sir Samuel Rowe that as a result of conflicts between the French and their Native allies and Saide Mattei, a Chief of Badiboo, the French flag has been hoisted in that country. Badiboo is not under British protection, but is within the sphere of British influence on the River Gambia, and its Chiefs have for many years past been under Treaty engagements to Her Majesty's Government. The matter is engaging the serious attention of Her Majesty's Government, who are fully alive to the necessity of protecting British rights and interests on the River Gambia, and are in communication with the French Government on the subject.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—DRAINAGE OF LOUGH ERNE—FAILURE OF THE WORKS.

MR. W. REDMOND (Fermanagh, N.) asked the First Lord of the Treasury, Whether the Government will direct the Royal Commissioners now inquiring into the Industries of Ireland to hold a Public Court of Investigation in Enniskillen into the causes of the failure of the Lough Erne Works?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Royal Commission on Irish Public Works having received from the Government some correspondence respecting the Lough Erne drainage and navigation works, they visited the district and took some formal evidence respecting them, and their views are expressed in paragraph 29, page 20 of their first Report. They have not thought it any part of their duty to go further into the matter, as it was not specially mentioned in the terms of Her Majesty's Reference to them. They have not heard any allegation of a failure of the scheme; but they are aware that the works have cost more money, and taken a longer time to execute, than was originally expected. If the hon. Member will send me any papers showing that a failure of the works has occurred, I shall be quite ready to communicate with the Royal Commission on the subject.

MR. W. REDMOND said, the right hon. Gentleman had not answered his Question as it appeared on the Paper. He wanted to know whether the Government would direct the Royal Commission to hold a Public Court of Investigation in Enniskillen into the cause of the failure of the Lough Erne Works?

MR. W. H. SMITH said, he was afraid he could not undertake that a public inquiry should be held in the manner indicated by the hon. Member; but he would cause inquiries to be made of the Commissioners as to their own view on the subject.

SECRETARY FOR SCOTLAND BILL—LEGISLATION.

MR. BUCHANAN (Edinburgh, W.) asked the First Lord of the Treasury, When the Bill for the extension of the powers of the Secretary for Scotland, promised in the Speech from the Throne, will be introduced?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have every hope that the measure referred to will be introduced in the other House very shortly. There will be no avoidable delay.

PALACE OF WESTMINSTER—THE CENTRAL HALL — POSITION FOR A STATUE OF THE LATE EARL OF IDDESLEIGH.

MR. CAVENDISH BENTINCK (Whitehaven) asked the First Lord of the Treasury, Whether the "Great Chamberlain," has given permission to the "Memorial Committee of the Earl of Iddesleigh" to place a statue of the late Earl in the Central Hall of the Palace of Westminster; and, whether, having regard to the fact that the erection of a statue in the above-mentioned position is manifestly at variance with the designs and intentions of the late Sir Charles Barry, Her Majesty's Government will use their best endeavours to induce the Great Chamberlain to revoke his decision?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am informed that the Lord Great Chamberlain has given permission to the Memorial Committee to place a statue of the late Earl of Iddesleigh in the Central Hall of the Palace of Westminster. Whether the erection of such a statue is at variance with the designs of the late Sir Charles Barry I am unable to judge; but I would suggest that my right hon. Friend should communicate his views to the Lord Great Chamberlain.

MR. CAVENDISH BENTINCK gave Notice that when the Vote for the Houses of Parliament was brought forward he should move the reduction of the Vote by the sum required for the statue.

COAL MINES, &c. REGULATION BILL.

In reply to Mr. J. E. ELLIS (Nottingham, Rushcliffe),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he hoped the Committee stage of this Bill would be completed on Wednesday next. There was a strong disposition on the part of the Government to facilitate discussion in the matter.

PARLIAMENT — DIVISIONS IN THIS HOUSE — IMPROVEMENT IN REGISTERING THE VOTES.

In reply to Mr. JENNINGS (Stockport),

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, it was true he had communicated to Mr. Speaker a plan which, he thought, would shorten the time occupied in taking Divisions in the House.

MR. SPEAKER: The plan proposed by the right hon. Gentleman was submitted to me, and it seemed to contain in it the elements of success. Members on both sides of the House have expressed approval of the scheme, and I propose, with the approval of the House, that it should be tried. I should like to try it as soon as possible, but the Clerk of the Works is very busy, and on Thursday or Friday it might be possible to make the very slight structural alterations necessary—that is the removal of the turnstile in the "No" Lobby from one end to the other. I hope that change will be for the convenience of the House.

MR. SPEAKER—HIS DEGREE OF D.C.L. AT OXFORD.

MR. SPEAKER: I desire to be permitted to acquaint the House that the University of Oxford has done me the honour to propose to confer upon me the degree of D.C.L. For the purpose of receiving that degree it will be necessary, I am informed, that I should attend at Oxford on Wednesday next. But it would be impossible for me to be present at Oxford and to absent myself from my duties unless by the leave and indulgence of the House. For that indulgence I now respectfully ask the House.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): In consequence of the communication which you, Sir, have just made to the House, I beg to move—

"That during Mr. Speaker's temporary absence at Oxford on Wednesday next, Mr. Courtney, the Chairman of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order."

MR. CHILDERS (Edinburgh, S.): I hope I may be permitted, in the absence of my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone), to second the Motion, and most heartily to congratulate you, Sir, upon the honour which is about to be conferred upon you.

Motion made, and Question,

"That during Mr. Speaker's temporary absence at Oxford on Wednesday next, Mr. Courtney, the Chairman of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order,"—(*Mr. W. H. Smith,*)

—put, and *agreed to.*

The following is the Entry in the Votes:—

Mr. Speaker acquainted the House that he had been honoured by an invitation from the Chancellor of the University of Oxford to attend at Oxford on Wednesday next, in order that the Degree of Doctor of Civil Law should be conferred upon him by that University; but that it was only by the indulgence of the House that he could absent himself from its sitting that day.

Ordered, That during Mr. Speaker's temporary absence at Oxford, on Wednesday next, Mr. Courtney, the Chairman of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order.—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

PRIVILEGE—PUBLIC PETITIONS COMMITTEE—PETITIONS ON THE LONDON COAL AND WINE DUTIES CONTINUANCE BILL.

Special Report *considered.*

SIR CHARLES FORSTER (Walsall): It now becomes my duty to ask the House to consider the Report of the Committee appointed to examine into the character of the Petitions presented for and against the continuance of the Coal and Wine Duties. The Committee have gone fully through those Petitions, and as the result of a protracted inquiry they have found that there has been undoubtedly a Breach of the Privileges of this House. The Committee have not been able to come to the conclusion that direct charges of participation in fraud against the Corporation of the City of London have been established, but the Corporation cannot be acquitted of gross negligence. As regards Mr. Reginald Bidmead, the Committee are of opinion that the case is complete. Although I have a natural disinclination to strike at the minor criminal while the greater criminals escape, yet the House must deal with facts as they find them, and unless the right of petitioning is to degenerate into a farce and the Privileges of this House are to exist only in name, I cannot see how it is possible to pass over so clear and flagrant a case as that of Mr. Reginald Bidmead without serious notice. It will be for the House to consider whether the indulgence which it usually extends to culprits who purge their contempt may not properly be extended to the offender in the present case. In the meanwhile, I feel there is no other course open to me than to move a Resolution similar to that which I made in 1865 when I was first called to the Chair of the Committee on Public Petitions—now, unhappily, 22 years ago—when certain persons were committed to Newgate under circumstances detailed in the Report. In the concluding paragraph of the Report, the Committee call special attention to three points which they have considered it necessary to condemn—namely, the placing of Petitions on tables in the open air, at which the signatures of passers by are obtained, which are not capable of identification; the piecing together of sheets of signatures without reference to the quarter from which they are obtained, and the headings ultimately affixed to them; and the practice of presenting Petitions without any kind of voucher for their genuineness. The right of petition is a valuable right; and I apprehend that the House, as the guardian of Constitutional rights, will not lightly agree to part with a privilege which has been handed down to them for generations, and which has always been regarded as a necessary safety-valve. If however, the right is to be preserved, it must be guarded jealously. Let us not abolish the right, but introduce such changes into the Rules which regulate it as experience show to be necessary. In order to vindicate the Privileges of the House, I beg to move—

"That Reginald Bidmead, having fabricated signatures to certain Petitions presented to this House, has been guilty of Contempt and a Breach of the Privileges of this House."

Motion made, and Question proposed,

"That Reginald Bidmead, having fabricated signatures to certain Petitions presented to this House, has been guilty of Contempt and a Breach of the Privileges of this House."—(*Sir Charles Forster.*)

MR. BRADLAUGH (Northampton): Sir, I do not intend to oppose the

Motion which you have just put from the Chair. But I claim the indulgence of the House for a few moments while I make a statement on this Motion which may materially influence the decision of the House upon the Resolution with which I understood the Chairman of the Committee on Public Petitions to intimate that he intends to follow up the Motion now before the House. I will venture to make an appeal to the hon. Baronet and to the House in relation to that consequential Motion. The hon. Member for Walsall (Sir Charles Forster) has already said that he feels considerable reluctance in striking at a minor criminal while greater criminals are allowed to escape. It will be in the recollection of the House that when the Chairman of the Committee on Public Petitions first reported the matter, he moved that the Order directing that the Petitions should lie on the Table of the House should be discharged. I ventured at the time to oppose that Motion, and I moved the adjournment of the debate in order to give time for further consideration. Since then the Committee on Petitions have not only considered the matter, but they have made a full inquiry into some of the statements which I felt it my duty to make to the House, and which, as it appeared to me, were of sufficient gravity to warrant a full and searching inquiry. The result of the investigations of the Committee, and of the evidence laid before them, is now in our hands, and I think I have a right to say that the course which I then took has been fully justified by the Report of the Committee. Every statement I made as to the particular character of the forgeries which took place has been more than borne out by the evidence. In the course I intend to take to-day, I do not propose in any way to put a slight upon the Committee who have reported to the House; but I feel it my duty to suggest a different course from that which they intend to recommend, and I trust that my suggestion will not only receive the concurrence of the House, but even of the Committee themselves. Now, who are the real criminals in this matter? The Committee state in their Report—

"The Petitions for the Bill were initiated by the City Solicitor, who instructed Mr. Robert Thomas Wragg, who in turn engaged the services of Mr. Carlton Roberts. Mr. John Walter Hallett, and a number of other sub-agents, were employed by Mr. Carlton Roberts."

Now, I contend that the Corporation of the City of London are the real criminals in this matter. There is overwhelming evidence that the gross negligence referred to by the Chairman of the Committee on Public Petitions was gross negligence, to which every active member of the Corporation has been a party. Gross negligence may be once blameworthy as gross negligence; but when it is repeated over a series of years, in relation to the same matters, and after deliberate warning, and when more than once there has been gross negligence in regard to Petitions presented to this House, and when the people who have been grossly negligent are the people who found the money for the use of the forgers, then, if you cannot bring home the gross negligence to individual members of the Corporation, there is enough to warrant the House in classing them among the greater criminals. [An hon. MEMBER: No, no!] I have sworn evidence here in support of what I say, and I ask the hon. Gentleman opposite, who contradicts me, to make himself acquainted with the facts. Personally, I am not in the habit of interrupting Members of this House, either by sign or by word, and I have not yet said a word which entitles any hon. Member to stand up on behalf of these forged Petitions, and contradict me at this stage of my remarks. I was going to say that gross negligence, more than once repeated, warrants the strictest censure of the House. The persons reported by name in the Report of the Committee are Mr. Robert Thomas Wragg and Mr. Carlton Roberts. In an investigation, in which it was my duty to take some part, and I hope not uselessly, I had to bring forward this very question of Petitions, and I will read a passage from the Report of the Committee. On page 25 of the Report of the Committee on the London Corporation Trusts, and the charges of malversation against the Corporation, it will be seen that, in 1884, it was brought to the knowledge of the members of the Corporation, including the hon. Baronet opposite (Sir Robert Fowler), that in several cases Petitions presented to this House had been signed two, three, and even four times over, by the same person. On the 19th of June, 1884, Mr. Wragg applied to the Committee of the Corporation of London for the sum of £1,000 to enable him to get

up Petitions for Lambeth, Southwark, Hackney, Finsbury, Marylebone, and the Tower Hamlets; and I say that the Corporation had notice more than once that the person to whom they, by their warrant, were issuing large sums of money, either by negligence, or carelessness, or intention, permitted Petitions to reach this House which were fraudulent Petitions. They had, consequently, no right to continue to be negligent, and if they were Members of this House they ought to have taken some care of the honour and dignity of this Assembly; and, as members of the Corporation, they had no right to permit to be so misused the money which did not belong to them, but which belonged to the entire body of the citizens of London. The City Remembrancer was examined by myself, and was asked whether he had felt it his duty as Remembrancer of the City of London to report to the Special Committee of the Corporation, or to any other body connected with the Corporation, that Petitions to Parliament were being paid for out of the City funds? His answer was that he had made no such report; but, nevertheless, in the evidence as to Mr. Wragg, it was asserted that he had attended the meetings of the Special Committee who had charge of the matter of getting up Petitions for presentation to this House, and that he received his directions specially from the Committee. I do not think that he received them from the hon. Baronet opposite, nor do I know what was the exact nature of the communications of Mr. Wragg with the Committee. But I do know that the hon. Baronet was present during the whole of the time when Mr. Wragg made his reports to the Committee, and there must have been gross negligence on his part if he had not listened to the communications made by that gentleman, as he was one of the Committee by whose authority the money was paid. It became my duty, in the course of the inquiry, to examine one of the Aldermen of the City, and I will refer the House to page 170 of the evidence—Question 2,527. A question was asked as to whether something was not being done in the direction of concocting Petitions in favour of the continuance of the Coal and Wine Dues, and it may be interesting to the House to know the answer which an Alderman of the City of London thought it right to make to me. I asked him, in the first place, whether he had heard that one person had received some £400 odd in one year for collecting Petitions? And his reply was that he had heard a City official say so. I then asked if he thought it was a right thing to do, and being pressed to state whether the same thing was being done now in reference to Petitions relating to the Coal and Wine Dues, this gentleman absolutely said that he thought the City officials would be neglecting their duty if they acted otherwise. Among other things I found that the Committee of the Corporation of London paid a sum of £2,950 to a certain individual named Johnson, who told us that he spent part of the money in paying people to collect signatures to Petitions. In answer to a further question, Johnson admitted that he had reason to believe that the signatures to some of the Petitions were forgeries. Now, I do not want to burden this matter with a number of statements; it is enough for me to say that in 1883 and 1884 Wragg spent large sums of money in concocting bogus Petitions to this House, and it is clear that in addition to the sums which he paid he received the heavy fee of 500 guineas for his own labours in reference to the measure then before the House, not in the way of legitimate, but the illegitimate opposition he was officially employed to get up. Mr. Carlton Roberts is the next person named by the Committee on Petitions. This gentleman was specially employed in concocting illegitimate opposition to measures before this House calculated, according to the Report of the Committee on Public Petitions, to deceive the mind of Parliament into the notion that it was independent action. Mr. Carlton Roberts was shown also to have been connected with the hiring of roughs to break up certain meetings in the West End of London. Now, I agree with the Chairman of the Committee on Public Petitions that the practice of petitioning to this House has been degraded, and that every person who has taken part in it, in this particular instance, has been dishonest. The right of petitioning this House is a right which every person should value, and for a great and wealthy Corporation to concoct Petitions, instead of exercising its influence to promote the morality of its citizens, is a course which, I think, every right-minded man will condemn. I be-

lieve that the Resolution which will follow upon the Motion of the hon. Member for Walsall will be that Bidmead be committed to gaol. Now, I appeal to the House not to send this unfortunate man to gaol. So long as we may possibly be able to reach the heads and the hands of those who have committed this serious offence, I am prepared to make an appeal for leniency, rather than the infliction of too severe a punishment. Therefore, I would venture to ask the Chairman of the Committee on Public Petitions not to follow up the present Motion by another for the committal of this man to Newgate, and I would express a hope that he will accept the Amendment which I suggest. The extreme course about to be proposed would be most unsatisfactory, and it would enable the greater criminals to go scot-free. I would suggest that instead of sending this poor tool to Newgate, Mr. Speaker should be directed to order Reginald Bidmead to attend at the Bar of this House on Thursday next, in order that he may be reprimanded. The reprimand in that case would attach to the offence. Bidmead confessed before the Committee, and there is no reason for believing his statement to be untrue, that he had collected thousands of signatures without the slightest regard to the source from whence they came, and with full knowledge that many of them were forged. Under the circumstances, I trust that the House will not send this poor, wretched, miserable man to gaol, but that by the mouth of Mr. Speaker they will make it understood that this degrading practice of concocting forged Petitions is not to be permitted, and by this means the House will solemnly express its condemnation of the degrading practice of foisting bogus Petitions upon the House. I will not detain the House further. I thought I had the right to make these remarks, having been the first to raise the question whether the Order for allowing the Petition to lie on the Table, instead of being discharged, should not be followed up by the inquiry which has since taken place? I am quite satisfied the result has shown that the course I suggested was the most dignified for the House to take.

SIR ROBERT FOWLER (London): I rise to support the Motion which has been made by my hon. Friend the Chairman of the Committee on Public Petitions. The defence of the Corporation of London to the charge made against them is that they employed this man to collect signatures *bonâ fide*. He was employed to do what was perfectly legitimate, but he betrayed the confidence which was reposed in him by those who employed him. As regards the charges made against myself, by the hon. Member for Northampton (Mr. Bradlaugh), I shall take no notice of them, seeing that some days ago, according to a paragraph in *The Echo*, the hon. Member stated that he proposed to charge me with perjury on some future occasion.

MR. BRADLAUGH: I have made no such statement.

SIR ROBERT FOWLER: After such a statement on the part of the hon. Gentleman, I do not think it would become me to enter into any controversy with him.

MR. BRADLAUGH: I ask for the indulgence of the House in order that I may say that I said nothing of the kind, that I meant nothing of the kind, and that the statement just made by the hon. Baronet is not warranted by anything I ever said.

SIR ROBERT FOWLER: The House will see the paragraph to which I have referred in *The Echo*.

VISCOUNT LYMINGTON (Devon, South Molton): I quite concur with the remarks which fell from the lips of my hon. Friend the Member for Walsall (Sir Charles Forster), that Bidmead was by no means the only culprit in this matter; and, in order to prove the truth of my assertion, I will quote the evidence given before the Committee on Public Petitions to show that a Mr. Hallett, who employed Bidmead, is also deserving of the severe censure of this House. The evidence which the Committee had from Reginald Bidmead was in the nature of a confession, and at first the Members of the Committee were inclined to treat it with some suspicion. Bidmead stated, and I wish the House carefully to take notice of the fact, that Hallett had fetched him from his lodgings and taken him to Wragg's office, and that on the way he confessed to Hallett that he had forged signatures to other Petitions, and that this knowledge was conveyed to Hallett before the Speaker was written to. In the letter sent to the Speaker no allusion was made to the forgery of signatures to any other Petitions. We have it in evidence that Mr. Hallett told Mr. Carlton Roberts

that Bidmead's forgeries were confined to the Haggerston Petition. A Member of the Committee asked Mr. Roberts this question—

"Was he taxed with the other Petitions, and did he admit anything with respect to them?"

The answer was—

"No, he was not taxed with any of the other Petitions. In fact, I made this remark to Mr. Hallett at the time, 'Has Bidmead supplied us with more signatures?' and Mr. Hallett's reply was, 'No; it is really confined to the Haggerston Petition.'"

Hon. Members have doubtless acquainted themselves with the nature of the evidence; but if they have not done so they will find (1) that Hallett, after first denying, was at last obliged to endorse Bidmead's evidence that there had been this conversation between him and Bidmead in the train, in which Bidmead gave him to understand that he had forged other Petitions, and (2) that Hallett had purposely concealed this from his employers, to screen his own negligence, and been instrumental in causing a letter to be written to the Speaker, which should quash all further inquiry, to the cost of the whole truth. Under these circumstances, it appears to me that the House cannot entirely overlook the conduct of Hallett. It does not appear from the evidence, and that is what we have to consider in the matter, that Mr. Carlton Roberts or Mr. Wragg can be connected with any knowledge of the forgeries of Bidmead. Bidmead, however, confessed that he did forge signatures to other Petitions, and it appears clearly from the evidence that he acquainted Hallett with the fact, and that before the letter to the Speaker was written Hallett knew that Bidmead had forged signatures to other Petitions. Then I would venture to hope that my hon. Friend the Chairman of the Committee on Public Petitions would so far accept the suggestion of the hon. Member for Northampton as to substitute a reprimand for the course which I understand he is about to take when the present Motion has been adopted. I do not wish that it should come from me directly as a Member of the Committee, but I hope the House, after taking into consideration the conduct of Hallett in this matter, will be of opinion that he also ought to be reprimanded at the same time as Bidmead. There is only one other remark I desire to make, and it has reference to Sub-section C of the last paragraph of the Report of the Committee, in which they condemn—

"The practice of presenting Petitions without any voucher for their genuineness."

It seems to me that it is almost impossible for any hon. Member of this House to be able to get vouchers for the genuineness of any Petition he may be called on to present. He may be able to do so in regard to small Petitions signed by the Chairman of some Local Board, or by gentlemen with whom he is personally acquainted; but it is perfectly impossible for any Member of this House to guarantee the genuineness of the signatures to large Petitions. He is bound to trust, more or less, to the character of the persons by whom the Petitions are got up, and I believe the root and bottom of the whole evil is the system of payment. Unless a Petition is really got up spontaneously, unless it is got up by the energy and enterprise of the men who are interested in the question with which it deals, and entirely without payment, there cannot be any guarantee that the signatures are genuine. I am afraid, judging from the nature of the evidence given before the Committee, that this system of paying for signatures has been largely adopted by the Corporation of London, and has existed in other towns also. I trust that the House in its wisdom will be able to devise some means whereby the evil may be remedied, and that a stop will be put to the system of payment for signatures to Petitions.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I think it is clear that the House with regard to this matter would, in any case, wish to express its opinion that this class of conduct is deserving of the strongest reprobation, not only because a particular individual who, like this unfortunate man, has been guilty of forging signatures to Petitions deserves censure, but because the greatest caution should be exercised by those who undertake the responsibility of getting up Petitions of this kind. Carelessness in such a matter is very much indeed to be reprehended. I am certain that no Member of this House desires to countenance or encourage practices that are likely to lead to such gross irregularities as have undoubtedly taken place in this case. I understood the hon. Baronet opposite

(Sir Charles Forster) to suggest that he would move with regard to Bidmead, that he should be committed to Newgate, and that he proposes to make a Motion similar to that which was made in 1865. I would rather suggest to the House that they should fall in with the suggestion of the hon. Member for Northampton (Mr. Bradlaugh), and that Bidmead should be ordered to attend the House to receive a reprimand from you, Mr. Speaker. I do not for a moment desire to express the slightest doubt as to the right of the House to take the more severe course, under the circumstances of the case; but, on the other hand, it must not be forgotten that the Report of the evidence before the Committee has only been presented to-day, and Members of the House have not had much opportunity of considering it. It is undoubtedly the fact that this man was, to a certain extent, employed by others, who do not seem to have exercised as much care in the matter as they ought to have done. At the same time, I cannot say that I agree with the suggestion of the noble Viscount the Member for South Molton (Viscount Lymington) that any other names should be included.

VISCOUNT LYMINGTON: I only suggested that Hallett deserved reprimanding as well as Bidmead. I said nothing about Wragg and Roberts.

SIR RICHARD WEBSTER: The suggestion of the noble Viscount was that the conduct of certain other persons was equally as bad as that of Bidmead, and that their names should also be included.

VISCOUNT LYMINGTON: Only Hallett.

SIR RICHARD WEBSTER: Having regard to the Report of the Committee, I do not think it will be wise on the part of the House to include any other names than that suggested by the hon. Baronet opposite. I trust that the hon. Baronet will see his way not to make a more extreme Motion, but to acquiesce in the suggestion of the hon. Member for Northampton (Mr. Bradlaugh), that this man, Bidmead, be called to the Bar of the House on Thursday and reprimanded. Although it is undoubtedly open to the House to take the more severe step, and although I quite admit that the House has always been jealous of its privileges, yet, on the other hand, it is undoubtedly a very severe step to commit Bidmead to Newgate at once, and by casting upon one individual the whole censure of the House, possibly to tie the hands of the House with reference to any further action. I agree with the hon. Member for Northampton that, as far as this particular individual is concerned, the punishment inflicted on him by being reprimanded by Mr. Speaker will be sufficiently severe; but if the House desires to take any further step it will be open for it to do so, seeing that a gross Breach of the Privileges of this House has been committed. There are three courses open to the House—namely, to order Bidmead into the custody of the Serjeant-at-Arms, to commit him, by Mr. Speaker's Warrant, to Newgate, or to order him to attend at the Bar and be reprimanded; but I think it is the general sense of the House that the latter course should be taken, and that Bidmead should be ordered to attend at the Bar on Thursday.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I quite agree with the statements which have been made on this occasion that this is a question of serious importance; but, on the whole, I concur with the recommendation which has been made by the hon. and learned Gentleman the Attorney General, and for two reasons which appear to me to be clear and sufficient. In the first place, the hon. Gentleman the Member for Northampton (Mr. Bradlaugh), who has addressed himself with great ability to this question, recommends a course which may be called the minor course, and from the hon. Member's position as *quasi*-prosecutor on public grounds, that minor recommendation, coming from him, is entitled to great weight. But, in the second place, as has been said by the Attorney General, and also by my noble Friend behind (Viscount Lymington), it is plain that we are on the threshold of a very serious question, and it is necessary to hear a good deal more of the matter, of which the Motion now before us touches only one part, and that comparatively a very small part. It is confessed on all hands that the person proposed to be dealt with has been only an inferior instrument; and, therefore, it is desirable that we should take a step which will commit us as little as possible in regard to what we may find it

necessary to do hereafter. We should, as far as possible, reserve the matter, without prejudice to our power to deal with all parties concerned when the matter may come before us for more full decision. I think, therefore, that upon that ground it would be a safer course to reprimand this person Bidmead at the Bar, than to apply the extreme measure of committing him to prison, although, for my own part, I cannot deny that his conduct deserves it. I think, however, that it would be more prudent not to apply to him that extreme measure, because we might find ourselves in this predicament, that when we have inflicted on him the highest punishment it is in our power to award we may find others brought before us who deserve a great deal more; therefore I feel that it would be safer to err on the side of mercy than on the side of severity. But in connection with the recommendation made that we should pursue a course which would, undoubtedly, be more lenient than that recommended by my hon. Friend the Chairman of the Committee, I am very far from intending to intimate that my hon. Friend has done anything less or anything more than his duty. The Committee, in fact, have absolutely fulfilled their duty, and I cannot see how they could have taken any other course than that which my hon. Friend has recommended. It appears to me, as far as I am able to judge, that we are under very great obligations to the Chairman and the Members of the Committee for the manner in which they discharge functions of great importance, requiring the exercise of much patience, care, tact, and judgment, and that they have recommended the right thing for them to recommend. But it appears to me, as far as I know the matter, that it is not one so much for the Committee as it is for the House to take into view the whole question relating to the participation of others in the transaction now before the House. I think my hon. Friend the Chairman of the Committee will see that the House is empowered to deal not only with the delinquencies of a particular individual, but with the whole matter. I would, therefore, recommend—without in the slightest degree implying that the Committee have gone beyond their duty, because I do not think that they have gone beyond their duty—I would recommend the House to accept the suggestion which has been made by the hon. Member for Northampton (Mr. Bradlaugh) and supported by the hon. and learned Attorney General. I believe that that would be the wisest course on the whole, and the one most conducive to the satisfactory discharge of whatever duties may be found to be incumbent upon the House hereafter.

MR. WEBSTER (St. Pancras, E.): When the junior Member for Northampton (Mr. Bradlaugh) asked for a Select Committee to inquire into the character of these Public Petitions, it will be remembered that I asked for an all-round inquiry, not only into the Petitions in favour of the continuance of the Coal and Wine Dues, but also into those which have been presented against those dues. In making one or two comments upon the Report of the Committee, perhaps the House will allow me to thank the Committee for the great pains they have taken in inquiring into the matter, and to assure them that I have no desire to criticize their conduct in any hostile spirit. In regard to Clause 2 of the Report which they have presented, I find that it contains this statement—

> "With regard to the Petitions against the Bill, we find that, whilst irregularities have been proved in the manner in which signatures there obtained, the signatures are, in the main, genuine, and free from suspicion of fraud."

Now, I venture to think that that statement is not altogether in accordance with the evidence in the Blue Book. Two Petitions were sent to me to present; one of them from King's Cross—a Petition against the Coal and Wine Dues—contained 72 signatures, 10 of which were found to be improper signatures. A second Petition which I presented came from East St. Pancras, the district which I have the honour to represent. That Petition contained between 70 and 80 signatures, only 39 of which came from the borough of St. Pancras, a constituency comprising 250,000 inhabitants. Eighteen of these signatures proved to be fictitious, a great number representing individuals who could not be discovered, and two or three persons whose names were attached to the Petition stated that they had not signed it. In this case I volunteered the evidence of an expert in handwriting, Mr. Inglis, who could have given evi-

dence before the Committee quite as conclusive as that which was given by Mr. Nethercliff; but the Committee stated that they regarded the evidence of Mr. Nethercliff as conclusive, altogether ignoring the fact that, on two occasions, Mr. Nethercliff's testimony has not been found to be altogether reliable by Courts of Law. Therefore, in my opinion, the evidence of that Gentleman ought to have been very carefully considered. But what was the whole object and aim of the inquiry? Why was it, let me ask, that the hon. Member for Northampton called for an inquiry? I am perfectly cognizant of the fact that he called for it with a view of casting any obloquy he could on the Corporation of the City of London.

MR. BRADLAUGH: I rise to Order. I have to ask you, Sir, whether the hon. and learned Member is entitled to say that I asked for the adjournment of the original debate from any other motive than that which I stated to the House at the time.

MR. WEBSTER: I only suggested, Sir——

MR. SPEAKER: Order, order! The hon. and learned Member must be aware that the imputation of motives is un-Parliamentary, and I am sure the hon. and learned Gentleman, on reflection, will not desire to impute anything in the shape of an unworthy motive.

MR. WEBSTER: Oh, I quite withdraw that. Let me now turn to the statement which the hon. Member made in regard to these Petitions. He said that there are other persons very much more guilty, including gentlemen who are intimately connected with the Corporation of London.

MR. BRADLAUGH: My statement was that the persons who employed these men, and continued to employ similar men, after they had received full notice of the improper practices which had been resorted to, were quite as criminal as the men themselves.

MR. WEBSTER: I quite follow the hon. Member's remarks; but, perhaps, he will allow me to state that we have been placed in a difficulty, in consequence of having only received the evidence given before the Committee to-day. I have run hurriedly through the evidence given by Bidmead himself, and I find that, although it is asserted that he was a poor man, unable to obtain employment, and was tempted to do what he did, owing to the prospect of securing the patronage of a wealthy Corporation, that, as a matter of fact, he made very little attempt to secure employment at all, and, although he was an individual who could have earned a livelihood in a proper way, he decided not to do so. It has been asserted that it is wrong for the Corporation of the City of London to endeavour to obtain Petitions in favour of the continuance of the Coal and Wine Dues in this way; but when a deputation from the Corporation and the Metropolitan Board of Works waited upon the Chancellor of the Exchequer, they were told that he was anxious to ascertain what the feelings of the people of London were upon the subject. Then I would ask any reasonable man to say how that opinion was to find expression. Not one in 1,000 knew anything about the matter, and it was only possible to obtain an expression of opinion by some organized effort. You have had an expression of public opinion against the continuance of these dues; but has not that been the result of organized effort? Mr. Lloyd, in his evidence, states that £123 were spent in employing men to sit at street corners and collect signatures to Petitions. This fact is mentioned in the Report of the Committee, and in the last paragraph of the Report special attention is called to the practice of collecting signatures to Petitions at street corners. It does not say that this occurred in the case of Petitions against the Coal and Wine Dues, and I venture to suggest that the Report of the Committee would have been more explicit if that fact had been recorded. Undoubtedly individuals did sit at the street corners to collect Petitions, and Mr. Isaacs, a Member of this House—

[*Cries of* "Order!"]

MR. SPEAKER: The hon. and learned Member must designate another hon. Member by his Parliamentary title.

MR. WEBSTER: I was referring to the evidence given by a particular Gentleman before a Select Committee of this House, and I understood that I was in Order in referring to that Gentleman by name. As, however, you have corrected me, I will say that the hon. Member who represents one of the Divisions of Walworth appeared before the

Committee and gave evidence. And what did he state? He said that, looking out from a window near Holborn Town Hall, he saw scores of boys and girls under 13 busily engaged in signing Petitions against the continuance of the Coal and Wine Dues, and the evidence of the hon. Member was corroborated by that of another gentleman who said he had seen the same thing going on for weeks. Yet this is a question greatly affecting the interests of the ratepayers of London who are called upon to pay £500,000 in some form or other; and the sole question is, whether it shall be contributed towards Metropolitan improvements or not. I quite follow the Report of the Committee, when they say that there ought to be a thorough inquiry into the way in which public opinion is presented to this House by the medium of Petitions; but I think that such an inquiry should also be directed towards ascertaining how it was that out of 138 Petitions presented to this House by the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) against the Criminal Law Amendment (Ireland) Bill 108 were reported to contain fictitious signatures. I cannot find that in consequence of that Report the burning indignation of the hon. Member for Northampton has been directed towards the Petitioners. No; he leaves all his fiery rhetoric and indignation for those who endeavour to do their duty by the citizens of the Metropolis.

MR. BRADLAUGH: May I point out that there is not a solitary word in the Report of the Committee about any Petition presented by the hon. Member for the Scotland Division of Liverpool?

MR. WEBSTER: No; but there is in the Report a recommendation that there should be an inquiry into all Petitions; and I think I am in Order in supporting that idea by referring to some of them. Mr. Lloyd appeared before the Committee, who almost received him with open arms, because he was the Secretary to an Anti-Something. Mr. Lloyd described himself as Secretary to the Anti-Coal and Wine Dues Committee; but no inquiry was made as to what the Committee was composed of, although it is well known who compose the Committees of the Metropolitan Board of Works and the Corporation of the City of London. As a matter of fact, not 1*s.* has been spent by the Metropolitan Board of Works either in the promotion of these Petitions or in any other manner that the House could, in the smallest degree, deprecate. When this gentleman—Mr. Lloyd—appeared before the Committee, he said—

"I am the Secretary of the Anti-Coal and Wine Dues Association. I am associated also with the London Municipal Reform League;"

and the Committee put no further questions to him. He stated that, although there were 25,000 signatures appended to the Petitions presented against the Dues, he was able to identify every one of them, although a little later on in his evidence he drew in his horns. I will read you what he said in Question 1,003—

"How do you know that they were *bonâ fide* signatures?"

His answer was—

"The Petitions appeared to be authentic, and the signatures appeared to be *bonâ fide;* and I know the handwriting of a good many of the persons whose signatures are attached."

Probably this gentleman was able to verify all the signatures of the children whom the hon. Member for Walworth (Mr. Isaacs) referred to. Subsequently, Mr. Lloyd was asked—

"You say that you saw the Petitions properly obtained, and properly signed—How do you know this?"

The reply was—

"We take proper steps."
What are the proper steps?"

was the next question; and Mr. Lloyd said—

"Well, we employ proper persons to do the duty."

Then it would seem that if you work for a Municipality you are a wicked individual; but if you have joined an Association with the word "Anti" before it which is agitating against it, you are elevated at once to the highest pedestal of moral virtue. I intend to support the proposal of the hon. Member for Northampton; but if it is intended to include in the reprimand the names of Mr. Wragg and Mr. Carlton Roberts, I shall certainly move to include the name of Mr. Lloyd.

MR. HOWELL (Bethnal Green, N.E.): I feel that this case ought scarcely to remain where it is. I cannot say that I agree altogether with the hon. Member for Northampton (Mr. Bradlaugh) in

this particular instance, although he has been backed up to-night by the two Front Benches. In my view this is a very serious case; and I am afraid that many hon. Members have not had time to look into the evidence, owing to the fact that it was only presented to-day. But with regard to the case of this man Bidmead, it is undoubtedly a gross one, especially when we take into consideration the facts admitted in evidence with regard to Roberts, Wragg, and Hallett. On looking through the evidence given by these gentlemen, one is struck by the fact that almost the whole of it, from beginning to end, shows plainly that it was made purposely to be brought before the Committee. There is one singular thing in connection with these Petitions, and the charge of malversation against the Corporation of London, which recently came before a Committee, and that is that everybody connected with the Corporation of London who has been engaged in these practices has an exceedingly bad memory. All of the witnesses seem to have been utterly unable to remember what took place last night, or the day before; but what the reason is it is very difficult indeed to say. The hon. and learned Member for East St. Pancras (Mr. Webster) has endeavoured to throw dust in the eyes of the House over the matter by referring to what may have been done on the other side. If I remember rightly, the hon. and learned Member engaged to prove, when he addressed the House on the question some days ago, that if these bad things had been done by the Corporation of the City of London, very much worse things had been done by the Municipal Reform League. As hon. Gentlemen have not had much time to consider the evidence, I will call their attention to paragraph 2 of the Report of the Committee. It is a very short one. The Committee who investigated the matter most carefully say—

"With regard to the Petitions against the Bill, they find that, whilst irregularities have been proved in the manner in which signatures were obtained, the signatures are, in the main, genuine, and free from suspicion of fraud."

MR. WEBSTER: I rise to a point of Order. I did criticize that paragraph in the remarks I made.

MR. SPEAKER: That is not a point of Order at all.

MR. HOWELL: I call attention to this matter because the hon. and learned Member for St. Pancras called in question the good faith of the Committee. Now, the Committee sat with exemplary patience to investigate the whole matter, and they come to the conclusion that the signatures appended to the Petitions against the Coal and Wine Dues were in the main genuine and free from suspicion of fraud. Now, what is the charge against the men who have been concerned in getting up the Petitions in favour of the Bill? It is that the Petitions have been wholesale forgeries from beginning to end; and, therefore, I say to this House that if you have any respect for your own dignity you ought to punish the men who have been shown to be instrumental in carrying out these frauds. I do not think it is a sufficient justification for allowing this unfortunate man Bidmead to escape to assert that you may not be able to get hold of others who are more culpable. Such a plea would not be allowed in any Criminal Court of Law, and you are asked to act in direct violation of the principles of the Constitution and of the Rules of this House. If you cannot get hold of the greater criminals, at any rate punish the men who, on their own admission, committed this fraud. The frauds have been going on for a considerable time, and I ventured when I brought the matter before the House to intimate that frauds had been committed with regard to Petitions in favour of the continuance of the Coal and Wine Dues; and the Public Petitions Committee have reported that among those who got up the Petitions in favour of the continuance of those dues were Wragg, Roberts, and Hallett. In fact, they have been doing it for a considerable time; but this is the first time that a Committee of this House has been able to put their hands upon the actual criminals in the case. No doubt, there is some difficulty in regard to the getting up of Petitions. I own that there is some difficulty. I may, however, mention to the House that for a period extending over 30 years I have had a great deal to do with the getting up of Petitions. Perhaps no single Member of this House ever had to do with a larger number; but in no single instance, save one, has any Petition which passed through my hands been

called in question by a Committee of this House, and in no case have the signatures been called in question. The single exception happened only this year, and it had reference to a Petition presented by myself. I saw that the Petition was faulty, but there were circumstances connected with it which led me to think that it had better go before the Committee. Perhaps the House will not be surprised when I say that that Petition came to me from this very Mr. Carlton Roberts, who has had so much to do with the getting up of these bogus Petitions. I think that every hon. Member ought, under ordinary circumstances, to take care to see that the Petitions which he presents to this House are genuine, and I have invariably endeavoured to do so; but there can be no doubt that in this case no care whatever was taken to ascertain their genuineness, or it would have been discovered at once that they were fictitious. I am afraid that those who have had this matter in hand have cared very little whether the Petitions were genuine or not. What they wanted to show to the House and to the country was, as some hon. Gentlemen had declared, that the people of London were in favour of the continuance of the Coal and Wine Dues, and they were determined also to throw blame upon the Petitions presented upon the other side. There is no proof whatever of the assertion that the Petitions presented on the other side were fraudulently obtained, and paid for in the same way as the Petitions got up in favour of the Continuance Bill. The fact is that payment for getting up Petitions to this House is radically wrong, and some steps ought to be taken to prevent it in future. This House, however, must not be deluded by statements of hon. Members as to what has been done by somebody on behalf of the other side. What the Committee had to do was to inquire into the Petitions referred to them, and having done so they state that Bidmead, on his own confession, had forged 1,600 or 1,700 names. Although, I am sorry to go against what appears to be the general view of the House, I do not think the lesser criminal should be allowed to escape because you cannot get hold of and punish the aiders and abettors who employed him. I feel that this man ought to be punished for having committed fraud and forgery, and the House might then adopt the suggestion of the noble Viscount the Member for South Molton (Viscount Lymington), and call before the House at least one of the persons reported by the Committee — namely, Hallett, who paid for the getting up of the Petitions. I trust that the question of these Petitions will be further considered at no very distant date, and that in future care will be taken on both sides that none but *bonâ fide* Petitions are presented to this House.

MR. PICKERSGILL (Bethnal Green, S.W.): In the Motion before the House we are asked to declare that Mr. Bidmead has been guilty of a Breach of the Privileges of this House. To that proposition, in itself, I readily assent; but I am unwilling to vote upon it at the present time, because I am afraid that if that course be taken we may be precluded from declaring, at some future period, that the persons with whom Bidmead has been associated have also been guilty of a Breach of Privilege. Moreover, if this proposition is carried, we shall then be face to face with graver issues. It is intended to be proposed by the hon. Baronet the Member for Walsall (Sir Charles Forster), as a consequential Motion, that we should commit Bidmead to Newgate, and that proposition has been supported by my hon. Colleague behind me (Mr. Howell). On the other hand, the hon. Member for Northampton (Mr. Bradlaugh) proposes that we shall adopt a less drastic course. With this difference of opinion in influential quarters I rise to plead for delay. A Blue Book containing 150 pages has been placed in our hands only a few hours ago, and it is impossible for hon. Members to have read, much less to have weighed and digested, the evidence which it contains. I should like the House to bear in mind that we must not only be careful not to visit Bidmead with too severe a punishment, but there is also a still more important aspect of the question; and that is that we should not, by taking a too precipitate course of action, prevent ourselves from punishing the persons with whom Bidmead has been in negotiation, if it is possible to punish them. There is one remark which arises, even upon a superficial reading of the Report—namely, the manner in which the censure of the Committee has been apportioned. It seems to have

been apportioned inversely to the social position of the offender. There are five persons implicated. The man at the apex of the structure is the City Solicitor, who employed Wragg, a respectable Conservative agent. Wragg employed Carlton Roberts; below Roberts comes John Hallett, and below Hallett is this man Reginald Bidmead. But how are these five persons dealt with in this Report? The City Solicitor escapes without a single animadversion whatever upon his conduct. Then we come to the second degree—Mr. Wragg. It may be said that his conduct is condemned by implication in this Report, but he is not blamed by name; and it is only when we reach the third degree in the descending scale that the Committee, by name, censure any individual at all. They say that the neglect of Mr. Carlton Roberts to exercise proper supervision over the work of his sub-agents led directly to the irregularities that followed. And so the scale descends until we reach this unlucky man—Bidmead. I object altogether to the mode in which the punishment has been apportioned by the Committee. To strike with a heavy hand a poor half-starving fellow who yielded to the temptation held out to him, and to pass over the sleek, well-fed gentlemen in broad cloth who held out the temptation, is, in my opinion, to offer a direct encouragement to corruption, because it increases, in the highest quarters, the sense of immunity. I am afraid that we shall never get rid of these grave scandals so long as we pounce down upon the small fry, and let the large fish escape. The Members of this House, the vast majority of them for the first time, are asked to exercise the powers of penal jurisdiction. That is, I maintain, a very grave responsibility for the House to take upon itself; and if such a power is to be exercised at all, it ought to be exercised with due deliberation, and with full knowledge of the facts. It is impossible, at the present time, for the House to be fully informed of the facts on which its judgment ought alone to be based, and I therefore beg to move the adjournment of the debate.

MR. SPEAKER: Does any hon. Member second the Motion?

DR. TANNER (Cork Co., Mid): I will second the Motion?

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Pickersgill.*)

MR. DALRYMPLE (Ipswich): I see no reason whatever for the adjournment of the debate. The hon. Member who moved it says that no opportunity has been afforded for studying the Report of the Committee, and he says that the Committee have dealt with the persons accused before them in accordance with their social status. I will not characterize as it deserves such a statement. The Committee had all the cases fully before them, and they considered each upon its merits alone. As a matter of fact, if the House were to consider the evidence for a month, they could not have put before them, in a more summary form, the result of that evidence. I agree with the hon. Member for Bethnal Green (Mr. Howell) in considering the case of Bidmead as a special one. The House, although naturally leaning to an indulgent view of his case, will no doubt remember that, whatever may have been the neglect of duty on the part of the more important persons concerned, Bidmead did, by his own confession, forge an enormous number of these signatures, and it is not suggested that the City Solicitor, or the other persons whose names are mentioned in the Report, desired that. The Committee do not suggest what the punishment of Bidmead should be, but they point out that this case is exceptional, and that the offence of which he has been guilty is a very grave one. With regard to the remarks of the hon. and learned Member for East St. Pancras (Mr. Webster), who has reflected on the Committee and the reception which they gave to the evidence of Mr. Lloyd, I will only say that the hon. and learned Gentleman himself had the fullest opportunity of bringing all his cases before the Committee; and the Committee, after giving full attention to his statement, made the Report they did as to the Petitions on the other side. I think, also, that the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) was somewhat misled by the speech of the hon. Member for Northampton (Mr. Bradlaugh) as to the relation in which the hon. Member stood to the Committee. The hon. Member did not, in any degree,

appear in the character of a public prosecutor. Having said that, may I be allowed to state that the hon. Member rendered very great assistance to the Committee.

MR. SPEAKER: I must remind the hon. Gentleman that the Question before the House is the adjournment of the debate.

MR. DALRYMPLE: Then I will not detain the House longer.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I would appeal to the hon. Member for South-West Bethnal Green (Mr. Pickersgill) not to press the Motion for Adjournment. The Question now before the House is whether the Breach of Privilege has been committed. After that a Motion may be made that the persons implicated should be brought to the Bar of the House on a future day, and upon that Motion it will be competent for the hon. Member to make any observations he may think fit. No Member of the House will be, in the slightest degree, compromised if this Motion is agreed to.

MR. PICKERSGILL: Sir, in deference to what I consider to be the general sense of the House, I beg to ask leave to withdraw my Motion for the Adjournment of the Debate.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. T. P. O'CONNOR (Liverpool, Scotland): I cannot allow the present occasion to pass without reference to some observations made by the hon. and learned Member opposite (Mr. Webster) with regard to some Petitions presented by me. I should not have taken notice of those observations had not they been repeated by the hon. and learned Member amid the cheers of his Party. I protest against this attempt, so to speak, to draw a red herring across the path of Business in this House. What happened is this. I presented a certain number of Petitions to this House; it was discovered that many of these Petitions contained irregularities, a fact which I have never denied. But those irregularities were of a nature very different from those which are now before the House. They were the irregularities of parents signing for their children, and of persons signing for others who, being illiterate, could not sign for themselves. That being so, I think it very unfair for hon. Members to drag those Petitions into the same category with those that rested on fraud and forgery.

MR. W. LOWTHER (Westmoreland, Appleby): The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), I think, used the words that the Committee had put their hands on the actual criminals. Now, if that were the case, I have no doubt they would have mentioned them in their Report. It may be that the Members of the Committee had their opinion as to who the criminals were; but there was no evidence before them of those persons being the criminals. The right hon. Gentleman also spoke of one person as being the tool of several others, which words conveyed the idea that the gentlemen referred to had made use of that person as a tool. But that is not the case at all, as far as we ascertained the fact, because on several occasions Bidmead himself, and other agents, made use of the expression that the signatures they got were to be genuine. Whether they—the agents—had any suspicion that some of the signatures were not genuine I do not know; but, at any rate, they said that the signatures were to be genuine. Again, the hon. and learned Member for St. Pancras (Mr. Webster), in a rather excited manner, found fault with the way in which the Committee had reported on this question. He has been good enough to put his opinion against that of 15 Members of the Committee. I think that, on the whole, the Committee came to a very just and a very right conclusion. An hon. Member opposite seems to be rather inclined to send Mr. Bidmead to a place where he would be taken great care of. I have no doubt that every Member of the Committee thinks that Mr. Bidmead deserves very severe censure at your hands, Sir, and my only reason for inclining to the opinion of the hon. Member is that if he were sent to Newgate or any other place for a day, the matter would become much more known, and people would learn that he had been engaged in getting up Petitions which were false.

MR. WIGGIN (Staffordshire, Handsworth): I agree with the hon. Member for Bethnal Green (Mr. Pickersgill) in saying that, so far as my recollection

goes, a more gross case has never been brought before the House of Commons. We have it here, on Bidmead's own confession, that he has forged 1,700 signatures with the object of being paid for them at the rate of 4*s.* per 100. I say that this constitutes such a Breach of Privilege that, were it not for the one circumstance that we are on the eve of the Jubilee, I should be ready to support the proposal that steps should be taken other than that suggested by the hon. and learned Attorney General (Sir Richard Webster).

Original Question put.

Resolved, That Reginald Bidmead, having fabricated signatures to certain Petitions presented to this House, has been guilty of Contempt and a Breach of the Privileges of this House.

SIR CHARLES FORSTER (Walsall): I am bound to say that this is a very bad case, and that the Committee were unanimous as to its being a Breach of the Privileges of this House; but, in deference to the view expressed by the hon. and learned Attorney General and my right hon. Friend, I will take the more merciful course of moving that Reginald Bidmead attend at the Bar of the House.

Motion made, and Question proposed,

"That Reginald Bidmead do attend this House on Thursday next, the 23rd instant, at Four of the clock, to be reprimanded by Mr. Speaker."—(*Sir Charles Forster.*)

MR. PICTON (Leicester): I venture to suggest that we should leave out the last words of the Motion, "to be reprimanded by Mr. Speaker," which will afford hon. Members between this and Thursday time to give due consideration to the arguments advanced on the other side of the House.

Amendment proposed, to leave out the words, "to be reprimanded by Mr. Speaker."—(*Mr. Picton.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): As I ventured to point out, there are three courses open to us—one, upon the warrant of Mr. Speaker to order imprisonment in Newgate; the second, to order the individual into the custody of the Sergeant-at-Arms; and the third, to order his attendance at the Bar of the House to be reprimanded by Mr. Speaker. With regard to the Amendment of the hon. Member opposite, I think it would be anomalous that Bidmead should come to the Bar without knowing whether he is to be reprimanded or not; and, therefore, it would, in my opinion, be better that what is directed to be done should be stated on the face of the Order.

MR. CHILDERS (Edinburgh, S.): I hope the House will agree to the Motion as originally proposed. In this case Bidmead appears to have acted as the tool of much more important individuals, and the adoption of the Motion of the hon. Baronet would not prevent us from exercising our right with regard to those persons.

MR. PICTON: After the opinions which have been expressed I ask leave to withdraw my Amendment.

Amendment, by leave, *withdrawn.*

Original Question again proposed.

MR. PICKERSGILL (Bethnal Green, S.W.): I would ask whether, if the Resolution be carried, it would be competent to Mr. Bidmead to make any statement in his defence?

VISCOUNT LYMINGTON (Devon, South Molton): I understand the hon. Gentleman opposite to say that he is considering the cases of other individuals, and I ask whether we should be precluded from dealing with the case of Mr. Hallett?

MR. SPEAKER: A Member would not be precluded from bringing forward a Motion to deal with that case.

MR. ARTHUR O'CONNOR (Donegal, E.): I should like to ask what prospect there is of any further censure being passed in this case, because at present I gather that the sense of the House is that there has been a general miscarriage of justice? It does not appear that any steps are to be taken to bring the real culprits to justice; and to go through the formality of merely reprimanding Bidmead appears to me, having regard to the general aspect of the case, a rather weak course.

MR. SPEAKER: The position is that, this man having confessed himself guilty, the House is asked to decide that he should attend at the Bar to be reprimanded by me. I apprehend that the adoption of that course would not pre-

vent the case of any other person being dealt with.

MR. BRADLAUGH (Northampton): I have already placed on the Books of the House another Notice of Motion, which goes much further than the present question, and I have the pledge of the Leader of the House that the Government will afford facilities for bringing that Motion forward.

MR. HOWELL (Bethnal Green, N.E.): In this particular case there are three persons named as having been guilty of frauds and forgeries. I ask whether we shall be in Order in reprimanding more than one person?

MR. SPEAKER: At present Reginald Bidmead has been adjudged guilty of Contempt and of a Breach of the Privileges of this House; and he is the only person who has been so adjudged.

MR. BRISTOWE (Lambeth, Norwood): I want to know whether we are not ourselves a good deal to blame with regard to these Petitions? I must confess myself to having presented a number of Petitions to this House without examination, nor did I think it my duty to do so. I believe, however, that if hon. Members had examined the Petitions which they presented much of what has occurred would have been prevented. In this case, I think that, the man having confessed himself guilty, it is very difficult to pass over the matter; but I should like to express my opinion that some blame attaches to Members who presented the Petitions.

Original Question put.

Ordered, That Reginald Bidmead do attend this House on Thursday next, the 23rd instant, at Four of the clock, to be reprimanded by Mr. Speaker.

Motion made, and Question proposed,

"That the Orders that the several Petitions, viz. those from Greenwich and Camberwell; Homerton and Hackney; Ilford; North Hackney; North West Ham; Dalston, Hackney, and Kingsland; South East London; Hackney and Dalston; Southwark; Bromley St. Leonard; Clerkenwell; St. Pancras; Hackney and East London; Haggerston; Bow; Notting Hill; East London; North Hackney; Lower Clapton; South East London; Lambeth; Shoreditch; City of London; West Ham; Dalston; Dulwich and Peckham; Deptford and Greenwich; Brixton and Peckham; Bromley by Bow do lie upon the Table be read and discharged; and that the said Petitions be rejected."—(*Sir Charles Forster.*)

MR. BRADLAUGH (Northampton): I presume, Sir, that if the Orders on the Paper be discharged and the Petitions cancelled, they will cease to be within the jurisdiction of this House?

MR. SPEAKER: It would not prevent notice being taken of them if further proceedings were ordered with respect to them.

Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £25,982, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Royal Palaces."

MR. BRADLAUGH (Northampton): On rising to challenge this Vote, I wish to state that I do so with reference to Sub-head I, in the same way as I challenged it last year, and as I intend to do every time the Estimates are presented, until the Government of the day couple with the Estimates, of which this Vote is the first item, a Memorandum showing the total cost of the Royal Family to the State. At the present time the most extraordinary statements are made on the subject, and one hon. Member of this House connected with a paper largely circulating among the Conservative Party, to whom I gave notice of my intention to bring forward this matter, has lately circulated a statement in which the cost of the Royal Family differs from my estimate by the sum of nearly £600,000 a-year. Such a discrepancy as that ought not to be possible. It is clear that either I or the hon. Member is in error. I am quite sure, with regard to the hon. Member, he has circulated a statement which he believes to be true; and I am also of opinion that I have taken reasonable pains to make myself acquainted with the figures. I admit there is considerable difficulty in arriving at the amount; but I suggest that it ought not to be possible for a Member of the Government on one side and an independent Member of the House on the other to differ in their calculations to the extent of £600,000.

THE CHAIRMAN: I do not think the hon. Member can argue that question upon this Vote.

MR. BRADLAUGH: I contend that on this Vote I am bound to give the Committee my reasons for dividing the Committee against it. My point is that the Government ought, with the Estimates, to present a Memorandum showing the total cost to the State of Her Majesty and the other members of the Royal Family, and when you put the Vote from the Chair it is my intention to divide the Committee against it.

MR. ARTHUR O'CONNOR (Donegal, E.): In support of the proposition of the hon. Gentleman the Member for Northampton (Mr. Bradlaugh) I beg to remind the Committee that in the Appropriation Act there is furnished every year the detailed cost of every one of the Services of the country, with the exception of this particular charge. There is no general statement furnished of the total cost connected with the Royal Family.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): As I understand that this Vote is going to be challenged rather by way of protest, I do not think it necessary to enter into the matter at great length. All I can say is that it was decided that after a certain date this portion of the Vote should be stated under three heads—first, Palaces in the occupation of Her Majesty; second, Palaces partly in the occupation of Her Majesty; and, third, Palaces not in the occupation of Her Majesty. Since then, the details have been set out at much greater length than before. I am bound to say, therefore, that I do not see what difficulty the hon. Member finds in this item of the Vote, the three heads of figures being added up for him.

MR. BRADLAUGH: I did not say there was any difficulty as to the cost of the Palaces. I said that the first item in the Estimates was connected with the cost of the Royal Family, and I mentioned that on the subject of the total cost the hon. Member for Sheffield differed from me in the sum of £500,000 or more.

MR. PLUNKET: I can only assure the hon. Member that the whole expenditure on the Royal Palaces is put down here. It is fully set out, and I am not aware what are the other expenses to which the hon. Member refers.

MR. BRADLAUGH: To explain my meaning with regard to the cost of the Royal Family I will put it in this way—I make it nearly £800,000 per annum——

THE CHAIRMAN: I again intervene to say that it is quite irregular to enter into that discussion.

MR. LABOUCHERE (Northampton): Before the Vote is taken on the first item, perhaps the right hon. and learned Gentleman will say why he includes the charge for the maintenance and repair of the White Lodge, Windsor.

MR. PLUNKET: This is one of those residences which are not in the occupation of Her Majesty, but are, by the favour of the Sovereign, allowed to be occupied by others.

MR. LABOUCHERE: That is precisely the point. There are Palaces which are let by Her Majesty to other persons, and the right hon. Gentleman tells us that this is one of them.

MR. T. P. O'CONNOR (Liverpool, Scotland): This is a Vote to which I think Members who are in favour of economy should always object, and lose no opportunity of protesting against. In making our protests we have had the enormous advantage of the assistance of the noble Lord the Member for Paddington (Lord Randolph Churchill). I remember that, when two or three years ago we were discussing the extraordinary and monstrous amount of money spent on the Royal Palaces, the most able speech made on the occasion came from the noble Lord — then Member for Woodstock. The absence of the noble Lord from the Committee is very much to be regretted on the present occasion, because if the noble Lord is consistent in his pursuit of economy he would find this a good opportunity for cutting down extravagance. The Vote, so far from being reduced, shows a large increase for the present year, the total expenditure for last year being £31,943, as against £35,984 for 1887-8, and the increase £4,000. I ask if it is not a sham for any Chancellor of the Exchequer to preach economy in this Committee while this Vote is passed without any other than the energetic protests of my hon. Friends the Members for Northampton? The amount of the expenditure on the Palaces occupied by Her Majesty is not in dispute. If hon. Members will look at the items they will find that the

increased expenditure is not in connection with the Palaces in the occupation of Her Majesty, but upon those with which she has nothing even anonymously to do. There is a decrease on those in the personal occupation of Her Majesty, for in the present year they only cost £12,589, as against £12,936 for 1886-7; and I find also a decrease on account of Palaces only partly in the occupation of Her Majesty, the amount for 1887-8 being only £2,071, as against £2,647 last year. There is, however, a great increase in the item on account of Palaces not in the occupation of Her Majesty, which has risen from £16,360 to £21,322 for the present year. What is the cause of this increase? I have no doubt the right hon. and learned Gentleman the First Commissioner of Works will get up and say that the expenditure of the whole of this money is absolutely necessary, and that there is not a plumber or carpenter who receives 6*d.* too much, which is what few people in this country can say with regard to their humble dwellings. The reason of this increase is that the occupation of some of these Palaces is given by way of pension to certain persons. Now, the system of pensions is one which is open to many objections, and I think it would be a better plan to pay public servants well, and leave it to them to make provision for old age. What is the case in America? The President of the United States, the moment he steps down from his great position, has to earn his living as everyone else in the land has to do, and that I say is a good example to set the people of the country, both in prudence and citizenship. In this country there is a search by the Government for pensioners, and here, in the item I refer to, there is one of the most flagrant abuses of the principle of economy. There is a charge of £14,507 on account of Hampton Court Palace this year, as against £9,209 last year; and although that expenditure is, no doubt, due to the fire that occurred there, I want to know what right the occupants of the Palace have to be living there at the cost of the taxpayers of the country? No doubt, there are among them persons who have been good public servants; but, at the same time, I think that a large number of them have no more right to be there than they have to receive public pay. Then there is the point to which the senior Member for Northampton has drawn attention, and which I think has not received sufficient attention from the Chief Commissioner of Works—namely, that some of these Palaces are lent to foreigners. That is, I think, a monstrous abuse. I should be sorry that this country should not afford refuge to foreigners; but to give them furniture and housing at the expense of the taxpayers is a thing which the taxpayers, if they knew it, would unanimously condemn. This is not a time when the people can afford to make ducks and drakes of their money, because at no period has there been so great distress, at no time have so many people been knocking at the portals of Parliament for work to enable them to support their families; and if we were to dock from the Estimates, as we ought to do, many thousands of expenditure under such heads as this, I am sure we should be able to get rid of a large proportion of the pauperism which disgraces the country.

Question put.

The Committee *divided*:—Ayes 105; Noes 62: Majority 43.—(Div. List, No. 249.) [7.15 P.M.]

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £1,020, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Marlborough House."

MR. ARTHUR O'CONNOR (Donegal, E.): In connection with this Vote I wish to ask a question as to the responsibility for sweeping the pathways in the neighbourhood of Marlborough House, and other similar establishments, during the winter months. When the fall of snow occurred last winter, the footpaths in the vicinity of most of the public offices were allowed to remain in the most disgraceful state, although we heard of constant complaints, and even of prosecutions, against shopkeepers for not clearing away the snow. So far as the front of Marlborough House was concerned, the snow was allowed to accumulate, and the footpaths were in a most deplorable condition. As a matter of fact, they are, at all times of the year, persistently kept unswept. If there are not sufficient men employed in the Royal Mews to sweep away the snow, I think

it would be well to get the services of some of the poor labourers who are out of employment at such a time, so that the paths may be made passable. The footpaths in front of St. James' Palace, Marlborough House, and the public offices last winter were totally neglected, while tradespeople were being prosecuted in all directions for not keeping the pathways clear. In fact, those who ought to set a good example are those who persistently neglect their duty.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): I believe that the circumstance mentioned by the hon. Member arose from the suddenness and heaviness of the fall of snow, the result being that the machinery at our disposal became overtaxed. I will make inquiry into the matter, and will promise the hon. Member that in future years the complaint he has made shall be borne in mind.

DR. TANNER (Cork Co., Mid): I have been studying the Report which has been presented to us in reference to this Vote, and I think it is somewhat extraordinary that the item for the maintenance and repairs of Marlborough House should be a constantly increasing item. I find in the present Vote that the sum asked for maintenance and repairs under Sub-head B. for 1887-8 is £1,455, or £315 in excess of the sum voted last year. The item includes charges for sanitary works and repairs in connection with fittings for the stables at Marlborough House; but I fail to see why we should be asked now, without explanation, to vote £1,455 this year, when last year we were only asked to vote £1,140. I cannot see why, when the country is asked, year after year, to vote these large sums of money for the maintenance of the Royal Establishments, the items themselves should be allowed to go on perpetually increasing. It is said that "a rolling stone gathers no moss;" but certainly this is a rolling stone which goes on rolling year after year, and contrives to pick up a good deal of the money of the taxpayers of the country. I hope that the right hon. Gentleman who has charge of this Vote will be able to give us a satisfactory account of the increase we are asked to provide at the present moment. Of course, I am fully aware that when you have to make improved sanitary arrangements in connection with such an important establishment as Marlborough House the money is generally very wisely laid out. All I hope is that in this case the First Commissioner of Works may be able to show that it has been satisfactorily laid out. I am only a young Member of the House; but I must be allowed to say that I have frequently seen money expended in sanitary works which altogether failed to accomplish what was expected from them. Personally, I have had a good deal of practical knowledge of these matters, particularly in times past, and it has been my duty to inquire into the subject. The result has been that I have been able to find out that there are no items which come under the consideration of public bodies in this country which are more uselessly expended than items in connection with sanitary works. I shall await with anxiety the explanation of the First Commissioner of Works, and I hope he will be able to account for the expenditure in a satisfactory manner; otherwise I shall be obliged to feel it my duty, painful although it will be, to divide the Committee against the Vote.

MR. PLUNKET: The hon. Member has himself shown that the increase upon the Vote of last year is very trifling indeed. It has been rendered necessary, as is explained on the face of the Vote itself, by the expenditure which has been incurred in connection with the improvement of the drainage of Marlborough House.

MR. HANBURY (Preston): I cannot help recollecting the difficulty which arose in regard to the drainage of this House, owing to the absence of any proper plans of the drainage. I would ask the right hon. and learned Gentleman whether, in the improvements which are now taking place in connection with the public buildings, plans of all the drains are kept; and whether, if not, he will see that plans are prepared?

MR. PLUNKET: I believe that within the last few years plans have been made of all the drains connected with the public offices which are under the control of the First Commissioner of Works. I know, further, that Marlborough House was fairly drained, I think, the year before last.

MR. ARTHUR O'CONNOR: Is the right hon. Gentleman aware that eight

or nine years ago the sum of £8,000 or £9,000 was spent in the recasting of the whole system of drainage at Marlborough House. The drains were then supposed to be put in first rate condition, and yet we are asked now to expend £315 in repairs. Has something faulty been discovered in the drainage? If so, somebody ought to be made responsible.

MR. PLUNKET: It did not occur in my time.

SIR JULIAN GOLDSMID (St. Pancras, S.): I have had a good deal of experience of drains, and I always find that the drain doctors differ in their mode of treatment, one attempting to mend the plans of another, and the result is often blood poisoning. Some of those who deal with the drains have absolutely no knowledge of the matters with which they profess to deal. I am quite certain that defects will be found out in every house after a period of from five or 10 years, and I know that there are many Members who are of opinion that the drainage of this House will have to be all done over again in the course of a few years, although it is much improved by the work done last autumn. This is certainly not a very large sum to spend upon Marlborough House.

MR. O'HEA (Donegal, W.): I think it is not unreasonable to ask for information in regard to these drains, so that we may be satisfied that the public money is not being wasted. At present the questions which have been put to the First Commissioner have not been satisfactorily answered; and I will, therefore, move, as an Amendment, that the Vote be reduced by the sum of £315, which represents the excess over the Vote of last year.

Motion made, and Question proposed, "That a sum, not exceeding £705, be granted for the said Services."—(*Mr. O'Hea.*)

DR. TANNER: The right hon. and learned Gentleman has not answered the questions which have been addressed to him, nor has he given the Committee the names of the persons who are responsible for the drains. Surely the right hon. and learned Gentleman must be in possession of them, or will find it easy to obtain the information from the office of the Department. He ought to be in a position to answer any demand for information in reference to the Votes which may be made to him. The hon. Member for St. Pancras (Sir Julian Goldsmid) says that the treatment of drainage is a matter on which drain doctors constantly disagree, and that very often the patient dies in consequence. I quite agree with the hon. Gentleman; but I am sorry that, notwithstanding the remarks of the hon. Gentleman on that head, he should attempt to endorse the system which is being carried on in reference to Marlborough House. Certainly the money expended in keeping up the residence of the future King of England ought to be judiciously expended, and should be adequate to protect the Heir Apparent from the dangerous influence of malaria contracted from a defective system of drainage. I would advise my hon. Friend not to press the Amendment, if the right hon. and learned Gentleman in his usually courteous and civil manner, will answer the question which has been put to him and say who the contractor for these drainage works was.

MR. PLUNKET: I am quite ready to answer any reasonable question; but, seeing that these drains have been in existence for about 10 years, it is somewhat unreasonable to suppose that I should know the name of the person who was originally in charge of works of this kind.

DR. TANNER: Who has carried out the works to which the Vote applies?

[No reply.]

MR. T. P. O'CONNOR (Liverpool, Scotland): I do not wonder at the hesitation of the right hon. and learned Gentleman, because I believe that 10 years ago—in 1877—the right hon. and learned Gentleman was himself in Office as First Commissioner of Works.

MR. PLUNKET: No; not First Commissioner of Works.

MR. T. P. O'CONNOR: At any rate, the right hon. and learned Gentleman was in Office, and he will recollect, I think, that although the Government went in for a special policy in regard to sanitary questions, one of the most disastrous results of bad sewage was brought to light at that time. I am about to join in the appeal to my hon. Friend to withdraw the Amendment, because I agree with what was said by the hon. Member for St. Pancras, that the drains

of Marlborough House have now justified their claim to be looked after, and some additional expenditure incurred upon them.

MR. M. J. KENNY (Tyrone, Mid): I am sure that my hon. Friend the Member for West Donegal (Mr. O'Hea) will do whatever is best in reference to his Amendment; but I would point out to the First Commissioner of Works that we have no guarantee that we may not be called upon for expenditure of this kind year after year. This is not the first occasion on which an appeal has been made to Parliament for money since the drainage works at Marlborough House were originally laid down. There was a large item in the Votes last year for a somewhat analogous purpose; and we have no assurance that there will not be a steady and continued demand year after year for further repairs. Indeed, this Department of Works is the most extravagant Department in the whole of the Civil Service, and is guilty of more jobbery and plunder of the public than any other. On every occasion when the work of that Department is brought before the House I shall feel it my duty to protest against the wholesale extravagance and general robbery which take place in connection with it. Having made that protest, I would ask my hon. Friend not to carry the matter further now.

MR. O'HEA: By the leave of the Committee I will withdraw the Amendment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £71,430, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Royal Parks and Pleasure Gardens."

MR. LABOUCHERE (Northampton): I have placed an Amendment upon the Paper for the reduction of the Vote by the sum of £109 10*s.*, the salary of the Ranger of Richmond Park. I had placed on the Paper an Amendment for the reduction of the Vote by the items for Battersea Park, Bethnal Green Museum Grounds, Kennington Park, and Victoria Park; but I do not intend to press that Amendment. But with regard to those Parks, a Bill has been prepared to carry out the vote come to by the House some time ago, and as soon as that Bill is passed the Parks themselves will be handed over to the Local Authorities. I, therefore, propose to confine myself to the reduction of the salary of the Ranger of Richmond Park. I think the time has come for putting an end to all absolute sinecures; and I have not the slightest doubt that the Rangership of Richmond Park, of St. James's Park, and the Green Park are sinecures. I find that there is a Deputy Ranger for Richmond Park, who receives a salary of £63 a-year and a Bailiff and other officials, whose salaries amount to £700. In this case the Ranger, who is the Duke of Cambridge, has the right of shooting in Richmond Park; but I think it is perfectly absurd that within nine or 10 miles of London game should be preserved for the benefit of any one in what is practically a public Park. I know perfectly well what the answer will be—namely, that when the Civil List was settled, it was agreed that the game should belong to Her Majesty; but since then London has largely extended in that direction, so that Richmond is now almost part of London. No doubt this is a Royal Park in which Henry VIII. and others were in the habit of hunting wild animals; but at the present moment it is one of the Metropolitan Parks, and game ought not to be preserved there. The public living in the neighbourhood are constantly complaining of what takes place, and especially of the depredations of the large number of rabbits kept there. The rabbits make holes in the ground, which render it dangerous for any person to ride on horseback in the Park. Nor do I see why portions of the Park should be inclosed for the preservation of pheasants and other birds for the sole benefit of the Duke of Cambridge. I object to the right of shooting game and preserving game which is inherent to the position of Ranger, and I object, also, to the office of Ranger as an absolute sinecure. The Ranger has nothing to do, and yet he gets an advantage by being Ranger. There is certainly no reason why he should get £100 a-year when he has officers to do the work of keeping the game there. I therefore beg to move to reduce the Vote by the sum of £109 10*s.*

Motion made, and Question proposed, "That a sum, not exceeding £71,320 10*s.*, be granted for the said Services."—(*Mr. Labouchere.*)

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): As regards the first question to which the hon. Member for Northampton (Mr. Labouchere) has referred—namely, the transferring of certain of the Metropolitan Parks to the Metropolitan Board of Works, I am glad to assure him that a Bill for that purpose, having passed a second reading, has been referred to a Committee, and that we held the first meeting of that Committee this day. I hope that Bill may pass through all its stages without much change or difficulty this Session, and in anticipation of that Bill being so passed we have framed Estimates, only taking sufficient for three-quarters of a year. Now, as regards the Ranger of Richmond Park, the hon. Gentleman says he knows very well the answer which will be given him. He is quite right; because, as a matter of fact, the answer I have to give is the one which has satisfied Parliament after Parliament, certainly the Parliaments of which I have had any experience. The answer is, that the Ranger is appointed under powers given by statute. The Queen has the undoubted authority to appoint him. The present Ranger was appointed in the usual way. He is Ranger over Richmond Park, Hyde Park, and St. James's Park, and I must say that when I have had occasion to consult with the Ranger with reference to the Parks I have found His Royal Highness's advice of the greatest assistance.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I see from these Estimates that we have a Ranger of Richmond Park, a Deputy Ranger, and a Superintendent under the Ranger. The salaries amount to £373, and there is a note at the foot of the page that in addition one of these gentlemen has a residence rent free, a matter of another £200 or £300 a-year, I suppose. It is also stated that these appointments are given to military officers of high rank. Now, I want to know why they should not be given in turn to naval officers of high rank? I do not know whether the right hon. Gentleman can give any reply to such a question.

MR. PLUNKET: I have not the power to make the appointments.

SIR JOHN SWINBURNE: We pay for them, and therefore I should like to know who makes the appointments?

MR. PLUNKET: Her Majesty.

MR. HANDEL COSSHAM (Bristol, E.): I am rather surprised at the answer the right hon. and learned Gentleman has returned to my hon. Friend the Member for Lichfield—namely, that Her Majesty makes the appointments. Do I understand rightly that she makes the appointments, while we are asked to vote the salaries? I presume that if we are asked to do that, we have a right to reduce the Vote. I admit it is a small sum, but it is part of a great system of waste, and I think these are not the days in which we can afford to lose money in this way. It is a small thing in the eyes of the public, but, after all, it leaves an impression upon the minds of the people that we are paying very largely in connection with Royalty. I am anxious there should not be such an impression, and I think it would be better to remove from the public expenditure some of these sums which it certainly appears cannot be justified by argument.

MR. BRADLAUGH (Northampton): There is one thing I desire to direct the attention of the right hon. Gentleman the First Commissioner of Works (Mr. Plunket) to upon this Vote. As I understand it, the area of Richmond Park is 2,357 acres, and there are 621 acres of that from which the public are entirely excluded. This is really a more important matter than the mere question of the £109 10*s.*, the Ranger's salary; and if I divide with my hon. Friend (Mr. Labouchere) upon this Vote, it will be as a protest against the enormous reservation of land in the Park. Thirty-five acres have been set aside for residences and gardens, including keepers' houses and lodges; 313 acres are devoted to the deer; and, in addition to that, there are plantations amounting, as I add them up, to 130 acres. I want to ask the right hon. Gentleman the First Commissioner of Works whether there is any check kept upon these lands from which the public are excluded, because, according to my information, the amount of land in all the Parks from which the public are excluded is increasing every year, not by very much in individual cases, but by a large amount in the aggregate. It does seem a monstrous

thing that out of 2,357 acres, the public should be entirely excluded from 621 acres. There ought, I think, to be some guardianship for the public by the Office of Works against these continued encroachments.

MR. M. J. KENNY (Tyrone, Mid): I desire to point out that not only has the Ranger or his men the right to shoot game in Richmond Park, but there is a provision made for the ammunition used; £10 is taken for the purpose. It appears to me to be rather carrying the joke too far, not only to give to private individuals the right of shooting game in public Parks, but also to supply them with ammunition for the purpose. I understand that the chief of these offices are Patent offices; but I apprehend that there would be no special desire to accept a sinecure if there was no salary attached to it. The persons supposed to have the management of these Parks are persons who are in high military command; they are described on page 16 as military officers of high rank. I should like to know if any of the three gentlemen — namely, the Ranger, Deputy Ranger, and Superintendent—at any time concern themselves with anything connected with Richmond Park but the shooting of game?

MR. LABOUCHERE: There is another point which I think ought to be mentioned. There are inclosures in Richmond Park for deer, and there are at Hampton Court inclosures for what is called the Hampton Court Stud House. I should like to ask what becomes of the foals?

THE CHAIRMAN: The hon. Gentleman has himself moved a reduction in respect to the Ranger of Richmond Park. I think he had better confine himself to that point.

MR. LABOUCHERE: I will raise the question subsequently.

MR. CONYBEARE (Cornwall, Camborne): Besides the Ranger of Richmond Park there is a Deputy Ranger and Superintendent, and I should like to ask who these military officers of high rank are who act as Deputy Ranger and Superintendent? We have been told who the Ranger is, and I think we have a right to ask who the gentlemen are who act as Deputy Ranger and Superintendent. I must add my protest to what my hon. Friend the Member for Northampton (Mr. Labouchere) has said, because I consider it to be our duty to protest, whenever we have an opportunity, against sinecure offices. I am sure the right hon. Gentleman (Mr. Plunket), who represents the Office of Works in this matter, does not quite appreciate the spirit of the day when he says that the answer he has to give upon this Vote has satisfied other Parliaments, and should satisfy, so he appears to think, all succeeding Parliaments. The people of this country will not be satisfied long with these same answers, and they intend to drag these abuses into light on every possible occasion until they are swept away. If we cannot get rid of them in this Parliament, I hope we shall soon have a Parliament which will rid the country of these abuses. The right hon. Gentleman remarked that Her Majesty has the right of appointing the Ranger under statute. We do not contest the statutory right of the Sovereign to make these appointments; but we have a perfect right to argue that if sinecure officers are appointed by the Sovereign of the day, the public should not be called upon to pay for them. These are not appointments in which the people have the slightest interest, and so long as we are asked to vote money to pay persons who do not work for us, and whose appointments are, as far as I can gather, little pleasant appointments for their own pleasure and not of any public utility, we shall protest. I shall certainly resist this Vote, and shall continue to do so until we get rid of it altogether. There is one other question I wish to raise, and it has reference to the Park constables and gate-keepers. I want to know why there are more of these officers this year than there appears to have been charged for last year? I see that the Vote under this head for these officers has been increased by nearly £200. The area of the Park devoted to the public appears, from what the hon. Member for Northampton (Mr. Bradlaugh) has said to have been rather diminished than increased, and it seems to me that if that portion of the Park has been contracted for the benefit of these high officers, these persons ought to pay for the increased staff. I dare say there are other questions which might be raised on this Vote, but I content myself with protesting against the system of voting money for sinecure offices.

MR. BRADLAUGH: Perhaps the First Commissioner of Works will say whether he has taken any pains to ascertain whether any portion of the reserve portions of the Parks has been underlet?

MR. PLUNKET: A Return has been moved for showing the extent of the reserve spaces in the Parks. When that is before us, we shall be able to discuss the matter more effectually. I will see that the Return is very carefully prepared. I am not able, off-hand, to say whether any small increase may not have been made to those portions of Richmond Park from which the public are excluded; but I am sure that the only parts which have been separated have been separated for the purpose of protecting the young trees, and, to some extent, the deer. The Committee may come to the conclusion that there ought not to be deer in Richmond Park, but I do not think that would be a very popular change, while the expenditure upon the deer is very small indeed. In regard to the number of Park constables, I may say that a great saving has been effected by making more use of these officers in place of police.

MR. BRADLAUGH: The right hon. Gentleman has not said whether he has been able to ascertain if any portion of the reserve parts of Richmond or any other Park have been underlet.

MR. PLUNKET: No, I am not aware of it.

DR. TANNER (Cork Co., Mid): I support the Motion of my hon. Friend the Member for Northampton (Mr. Labouchere). I cannot help remarking that there is no increase in the pay of this high military officer who discharges the important official functions of Ranger of Richmond Park, and I ask myself, why is it that there is no increase? I see that there is a decrease in the Estimate in cases where poor men are concerned, but when it is the salary of a high official, whose functions have been ridiculed by the House year after year, whose position has been challenged, and is, I maintain, thoroughly indefensible, I cannot help being struck by the fact that the salary has not been increased. Why has there not been an increase? I maintain it is not on account of lack of official favour, of which these gentlemen undoubtedly receive more than their due, but on account of the strict way in which some hon. Gentlemen protest against such positions as this of Ranger of Richmond Park. I sincerely hope that before long all these remnants of a miserable feudal system will be swept off the Statute Book and cleared away from our Estimates. We know that the Ranger of Richmond Park does little or nothing. If he does anything, I ask the right hon. Gentleman (Mr. Plunket), who is here demanding this money from us, what are the official duties of the Ranger? I ask him if the duties which this gentleman is supposed to fulfil are not amply performed by the other men who act under him as Deputy Ranger, Superintendent, &c.? I hope the right hon. Gentleman will give us some account of these duties. I regret that this question turns up year after year. [MR. JOHNSTON (Belfast, S.): Hear, hear!] I am certainly very glad indeed that the hon. Member for South Belfast agrees with me on this point; it is not often I find myself in agreement with him, and, therefore, I am very pleased to have his approbation on the present occasion. Looking at the question in the strict sense of regarding it in the light in which it is notably regarded on this side of the Committee as a feudal remnant, I think it would greatly improve the position of the Crown if the office of Ranger of Richmond Park were abolished. If you want to spend the money which is at present paid to this official, spend it in paying better the under-paid minor officials, who have practically to do the work for which this gentleman gets £109 10*s.* a-year.

Question put, and *negatived.*

Original Question again proposed.

MR. LABOUCHERE (Northampton): I have another Amendment to this Vote to propose. I regret that we did not take a Division on my last Amendment; it was quite an oversight that we did not. Now, I wish to move the reduction of the Vote by the sum of £963, the amount of the Vote for keepers in Bushey Park, Greenwich Park, and Richmond Park. Now, Sir, I have already pointed out the absurdity of having game in these Parks. The right hon. Gentleman the First Commissioner of Works does not lay much stress upon the desirability of retaining the deer. If deer are kept in the Parks, I do not think that any expense in regard to them ought to be

entailed upon the public. Deer, from their very nature, go mad once a-year; but the animals in Richmond Park have gone beyond that, and have reached another phase of insanity during which many of them have had to be killed, owing to the danger they formed to the neighbourhood. I do not know whether there are any deer in Bushey Park, or in Hampton Park, or in Greenwich Park. [MR. PLUNKET: Yes.] Very well, there are deer in all these Parks. Now, I ask the Committee to look at the salaries paid to the keepers. Hon. Gentlemen opposite, and perhaps some hon. Gentlemen on this side of the House, may have keepers of their own, and, therefore, they know perfectly what keepers are ordinarily paid. Now, the head-keeper and deer-keeper in Richmond Park is paid £250 per annum, and receives £96 allowance in lieu of fees—and I do not know what that means—and £12 as allowance for ammunition. He thus receives £358 per annum and a residence for being keeper. He has got under him an under-keeper, who, I suppose, would get 25*s.* per week if he were in private employment; but as it is he receives £150 a-year with a residence. The state of things in this respect in the other Parks is about the same as in Richmond. You have in Hampton Court Park a keeper who receives £150 a-year and residence, and in Bushey Park a keeper who receives £200 a-year and residence; the whole charge is excessive. No doubt, these offices are relics of the past; in all probability they are good things which are given, I will not say to decayed members of the aristocracy, but to some of the poor sycophants of the aristocracy, and as usual they are attended with excessive salaries. I do not believe in the deer, and still less do I believe in these salaries. I therefore beg to move the reduction of this Vote by the amount I have stated. I have left out of consideration the Park keeper in St. James's Park, because there are ducks and geese and that sort of thing there, which, I believe, are a pleasure to many who visit the Park. I beg to move the reduction of the Vote by the sum of £963.

Motion made, and Question proposed, "That a sum, not exceeding £70,467, be granted for the said Services."—(*Mr. Labouchere.*)

Mr. Labouchere

MR. PLUNKET: I can only again say that these keepers are not employed for the purpose of taking care of the game which is shot by the Ranger, but they are employed for the purpose of attending to the deer, and the ammunition for which an allowance is made is that used at a certain time of the year, when the number of deer has to be reduced. In the allowance for ammunition, too, is included the purchase of guns from time to time. Having made this confession, I am prepared to stand by the items to which the hon. Member has referred. I am very glad to say, however, in my own defence in passing, that these Estimates show a reduction of something like £70,000 or more, so that I do not think the hon. Member has very much cause to complain.

MR. CONYBEARE: I am very glad to hear what the right hon. Gentleman has said, because it is really a justification for our action. If hon. Members on this side of the House had not pegged away year after year, the reduction in the Estimates of which the right hon. Gentleman is so proud would never have taken place. The fact that we have succeeded in getting a reduction of £70,000 encourages the hope that, if we take a Division, as we certainly will do on this Amendment, and take a few Divisions on several other items, next year we shall get a reduction of, perhaps, £140,000, and in the course of time we may have presented not only model Estimates, but perfect Estimates in the sense that no provision is made for any sinecure. Will the right hon. Gentleman assure us that it is only the keepers who shoot the deer, and that the deer are never shot for the purpose of amusement? If that is so, I think it is a reason for getting rid of the deer altogether. I really do not see why we should pay for the maintenance of these deer which do not do any good, and occasionally do a great deal of harm. I may say, in addition, that if these deer are shot, somebody eats them. Venison is supposed to be valuable, and if the right hon. Gentleman wants us to encourage him by our applause, and wishes to present to us model Estimates, he will order that the deer which are shot should be sold, and the proceeds devoted to the expense of the ammunition with which they are shot. I think that is a very reasonable suggestion.

By the way, I see that many good people who hold these sinecures also have residences rent free. I should like to know whether these high military officers pay anything for rates and taxes, or whether we pay rates and taxes for them?

DR. TANNER (Cork Co., Mid): I wish to say a word with regard to what fell from the hon. Gentleman the senior Member for Northampton (Mr. Labouchere). He said that Gentlemen on this side have keepers. I sincerely hope the hon. Member did not mean more than merely keepers so far as game is concerned. I am certain the hon. Gentleman would be the last person in the world to make an offensive personal allusion like that. Then, in reference to the deer in Richmond Park, I wish to remark that they certainly are not ornamental. They remind one, by their appearance, of a lot of donkeys. Again and again I have heard, and I am certain other Members of the Committee have heard, that parallel drawn between those Richmond Park deer and those other animals I refer to. The deer are distinctly not ornamental, indeed we are told by the right hon. and learned Gentleman himself, that, practically speaking, they are not ornamental. Well, I want a practical answer from the right hon. and learned Gentleman on this subject. The right hon. and learned Gentleman answers Questions in a manner that almost disarms hon. Members on this side of the House who are trying to find out where the money voted in Committee of Supply under these Estimates goes to. I wish to find out how many deer are shot in the Park per annum. I feel certain that there are more than a dozen shot, and that they are not killed in the way deer are killed in the Highlands of Scotland, where sportsmen hunt them over crag, and moor and fell, and take long shots at them. In the Highlands a great deal of ammunition is no doubt expended in this way, though, with the arms of precision that are now-a-days placed in the hands of sportsmen, there is not that waste of ammunition which there used to be in the past. But the right hon. and learned Gentleman has told us that the killing of the deer in Richmond Park is not a question of sport, so that, probably one of the under keepers, who are ill-paid men—of course not the Ranger, but one of the bailiffs employed in these Royal Parks—goes up to the deer marked out for slaughter, fires a rifle bullet behind its ear, and the animal falls down dead. Well, in this way, if 12 animals only are shot, 12 cartridges are expended, and I must say I think it rather extraordinary that 12 Sneider cartridges should cost £12. That would come to about £1 a shot—a most extravagant sum. This may be a minor detail—a matter of minor importance—but latterly we have heard a great deal about these Estimates, and we have seen how difficult, how almost impossible, it is for us to analyze the expenditure, so that when we find out a small point like this on which the money of the nation is being misspent, I maintain that it is our duty to get an account of even such a sum as this £12. Will the right hon. and learned Gentleman tell us how many deer are killed in Richmond Park—how many were killed last year? If 12 were killed we can fairly well estimate the value of their carcasses. It would amount to a considerable sum, for we know that venison is reckoned a great luxury, and is very expensive. Well, supposing 12 deer are killed and £12 is charged for ammunition, when that £12 is put in the account, and we are asked to pay it, we have a right to demand an account on the other side—an account of the money received for the carcasses. At any rate, I ask the right hon. and learned Gentleman for information on the point—I would ask him to say—first, what was the number of deer killed last year; and next, as their slaying was not a matter of sport, the number of shots that had to be fired into them. [*Laughter.*] Hon. Members may laugh, but I imagine that the British public will not laugh, and for the reason that there is such a thing as humanity. If you are going to kill a beast—an ox for instance—you do it at one stroke, and if you are going to kill a tame deer, you do it with one shot, you do not inflict unnecessary torture on it, and riddle it with bullets. Hon. gentleman do not laugh now—I should hope there is not an hon. Member here who would laugh at torturing dumb animals. It may be sport to some strangely constituted people; but it will not be sport to the deer. If these unfortunate deer are systematically riddled with bullets, this Committee has

a right to know something about it, and unless we get something substantial in the way of an answer from the right hon. and learned Gentleman—whom I feel certain will answer to the best of his ability—I shall have forced upon me the unpleasant duty of moving to reduce this Vote by the insignificant sum of £12.

MR. McDONALD CAMERON (Wick, &c.): I would direct the attention of the right hon. and learned Gentleman the First Commissioner of Works to a Question addressed to him by my hon. Friend on this side of the House. The right hon. Gentleman was asked whether the Government pay the taxes of the officials who have residences in Richmond Park but he omitted to reply when he rose a few moments ago.

MR. PLUNKET: I believe the taxes on these houses are not placed in the Estimates. I am not aware of any case where taxes are paid by the country. They are invariably paid by the individuals who enjoy the houses. [An hon. MEMBER: Those of Marlborough House?]

DR. TANNER: Not having received a reply from the right hon. and learned Gentleman, I beg to move the reduction of the Vote by £12.

THE CHAIRMAN: There is already an Amendment before the Committee.

MR. CREMER (Shoreditch, Haggerston): Will the right hon. Gentleman the First Commissioner of Works tell us what becomes of the carcasses of the deer after they have been shot?

MR. PLUNKET: I would have answered the hon. Member; but that I have already spoken on that very point. I have already stated that I consider this sum of £10 or £12 a rather large item. The item is for ammunition, and includes the shots by which the deer are killed. It is altogether imaginary, however, to suppose that only 12 shots are fired.

DR. TANNER: How many deer are shot?

MR. PLUNKET: Considerably more than 100. As to what becomes of the carcasses, they are distributed according to a certain plan. Some of them are sent to the War Office—some to the Admiralty, and some of them are taken to my own office, I think. Some of the old fashions of the Royal Forests are still kept up, and no deer can be shot in the Parks unless the First Commissioner signs its death warrant.

MR. CREMER: Do I understand the right hon. and learned Gentleman to say that these carcases are distributed among the Government officials?

MR. PLUNKET: Yes. These are Royal Parks, and the deer in them belong to the public.

Question put.

The Committee *divided:*—Ayes 50; Noes 91: Majority 41.—(Div. List, No. 250.) [8.55 P.M.]

Original Question again proposed.

MR. ARTHUR O'CONNOR (Donegal, E.): The right hon. and learned Gentleman in charge of the Vote has said that these Estimates are model Estimates, and he justifies that by pointing out that a reduction of £125,000 has been brought about *en bloc*. But the economy which is proposed is not so apparent as regards any of the details, and I would invite the right hon. Gentleman to explain to the Committee how it is that in connection with St. James's, the Green, and Hyde Parks, the item for "minor works," which last year figured for only £36, has this year gone up to no less a sum than £1,655? That is a very large and a very surprising advance in a model Estimate. In connection with the Green Park on the same page—page 13—is shown amongst the minor works the improvement of Hyde Park Corner and the contribution towards the new statue of the Duke of Wellington, which figures at £2,000. The original Estimate was £6,000, but the revised expenditure under this model Estimate is £8,000. There does not appear to have been any great economy practised there. But the reason I would ask the right hon. and learned Gentleman to explain the astonishing increase in the item for "minor works" from £36 to £1,655 is that it has been very difficult to ascertain what has been the amount of the expenditure in connection with the removal of the old statue of the Duke of Wellington from Hyde Park Corner. Some time ago, in the present Session, I asked a Question about this, and was told that the expenditure had been defrayed by the Prince of Wales, the Duke of Cambridge, or some one else; but I found an item for the Manufacturing Department of the Army of several hundreds of pounds in connection with the removal

of the statue of the Duke of Wellington. I asked for a statement of details, but I never was able to get a satisfactory statement, and for the simple reason that the War Office itself was not in a position to furnish it. But I put on the Notice Paper a Motion for a Return showing, as far as the War Office could furnish it, what the expenditure was. I found out that for the hire of horses £202 were put down, for the carriage of the statue from Hyde Park to Woolwich £8 17*s.*, the cost of sending back to Woolwich the truck on which the statue was sent to Aldershot £18, the travelling expenses of officials £20, making altogether £249 10*s.* In addition to this, £317 1*s.* 7*d.* has been taken in the Manufacturing Department Accounts, not as representing any actual expenditure connected with the removal of the statue, but for preparations and non-effective and incidental expenses under the Ordnance Store Department. If that is the way in which the Army Accounts are made up no wonder it is very difficult for a stranger to make either head or tail of them. The Army Department cannot explain its own figures. But that is not all. Underneath the Return signed by Sir Ralph Thompson is the item "All other charges incurred were covered by repayments from the Marlborough House Committee"; so that the total amount of the cost of removing that particular statue is an amount which nobody can possibly hope to get at. Now, what I have to ask is whether any portion of the £1,655, which is put down in connection with the alterations which have been effected at the corner between Hyde Park and the Green Park is in connection with the removal of the old statue or the putting up of the new one—whether in the amounts in page 9, which have come down fortunately some hundreds of pounds in the present year, there is any repayment on account of public services rendered in connection with the removal of the statue, because if the Marlborough House Committee are to defray the expense, which the public were given to understand they would, any services given by the Army Department or the Office of Works ought to figure in that account. Perhaps the right hon. and learned Gentleman or the hon. Gentleman the Financial Secretary to the Treasury (Mr. Jackson) will be able to answer my question?

MR. CAVENDISH BENTINCK (Whitehaven): I am glad the hon. Gentleman opposite has raised this point because we shall, perhaps, be able to obtain from the right hon. and learned Gentleman some information about this unfortunate Wellington Statue. Now, of course, it is too late to raise any question in connection with the original disaster of Hyde Park Corner, which has created the wilderness we now see there when we pass by. It is too late to prevent that unfortunate expenditure of money whereby the arch upon which the Wellington Statue used to stand has been placed in such a position that the roadway beneath it leads nowhere at all except to a cabman's shelter. I do not wish to raise that point even if it were competent to do so, because I feel that the right hon. and learned Gentleman is in no way responsible for it. It was the act of his Predecessor, whose judgment was warped in the matter. We are now in for this unfortunate result. The arch is placed where it is an absolute disgrace to the nation, and a laughing stock to everyone who has the slightest pretention to knowledge of the principles of the old masters. Now it appears we are to have a smaller statue placed upon that portion of ground which we see lying waste. All I know about that new statue is from having observed two months ago that a model statue was erected in that place for a few hours. I was very much surprised to see that the statue of the Duke of Wellington was made to ride nowhere at all, and I should like at least to know from the right hon. and learned Gentleman, as this is a matter of great interest to those who desire to see the ornamentation of our Metropolis improved, whether he can inform the Committee in what particular position this statue is to be placed? When I observed the model, the Duke of Wellington was made to ride, not upon the flat ground or upon an eminence, but it was placed upon falling ground—upon a slope—which is entirely disastrous to all the principles of the old masters. I should also like to ask the right hon. and learned Gentleman which way the statue is to point? I should like to ask him if it is to be placed on sloping ground, and whether

the north side is to be higher than the south side? I should like to know whether the model we saw there is a correct model as regards size of the statue that is to be erected? Another point is with regard to the improvements which have been effected at Hyde Park Corner. I should like to say that no doubt as regards carriage ways there is now much better accommodation for the traffic than there used to be, but as regards ornamentation or good effect, I am sorry to say that the result which has been arrived at was the result which was prophesied by the Institute of British Architects at the time when we endeavoured to pursuade my right hon. Friend's Predecessor not to agree with the scheme—the Earl of Wemyss, "elsewhere," and myself, in this House. I observe that in connection with Hyde Park Corner we have a contribution from Her Majesty's Government for the new statue of the Duke of Wellington. The statue was originally estimated to cost £6,000, and we have already voted that sum; but it seems now that the expenditure is to be £8,000. I should like to ask my right hon. and learned Friend if he can assure the Committee that this is the last of the Estimates, or whether there is likely to be another call on the country for this very unfortunate statue, as I believe it to be? I wish to ask, first of all, if the statue is to be placed on that plot of ground where the model was placed some months ago? Is it to be placed in the position as if riding in the direction of Piccadilly, and is my right hon. and learned Friend able to say whether or not we have come to the end of the expenditure?

MR. HENRY H. FOWLER (Wolverhampton, E.): Before the right hon. and learned Gentleman the First Commissioner of Works (Mr. Plunket) answers that Question I should like to put another Question or two to the right hon. and learned Gentleman, more from a financial than from an æsthetic point of view. The right hon. and learned Gentleman who has just sat down (Mr. Cavendish Bentinck) has pointed out that the original estimate for this statue was £6,000, and I remember when this question was discussed in the House, and I sat where my right hon. and learned Friend is sitting now, I objected to this expenditure altogether. We were then assured that the estimated sum would represent the entire expenditure; but we have now got from £6,000 to £8,000 to put up another statute in London to the memory of the Duke of Wellington. Now, I am under the impression that the memory of the Duke of Wellington will be kept alive by the history of this country, and by the very prominent monuments which already exist to him, without putting the country to the expense of the erection of another statue in lieu of the statue which has been removed to Aldershot. But I should like to ask my right hon. Friend opposite (Mr. Plunket) whether he has considered the monument that is to be erected under the next Vote—namely, the statue to General Gordon in Trafalgar Square, which is to cost £3,200? I want to know why, if we are only to spend £3,200 on a statue to General Gordon, we should be asked to spend £8,000, or probably more than £8,000, on a statue to the Duke of Wellington? In addition to that, I should like to know whether this £1,655 includes any expenditure whatever on these Hyde Park improvements? I have no doubt that my right hon. Friend is heartily tired of those Hyde Park improvements. We have sat together on a Committee upstairs on this matter, and we have, I hope, relieved the taxpayer permanently from any charge in respect of that matter; but I think the country has little idea of what the cost of those improvements has been. I must say that I think the block at Hyde Park Corner is greater now than it ever was before. There is greater confusion and danger to the public. I think that, looking at the large amount of public money which has been spent upon these improvements, we have a right to ask that the safety of the public should be ensured. I would ask the First Commissioner whether he will give instructions to the Metropolitan Police to make better arrangements than those which prevail at this moment at Hyde Park Corner for securing the safety and convenience of pedestrians? The improvements which have been made seem to exist solely for the convenience of carriage traffic in the eyes of the police. I think that there should be better protection for foot passengers, and that probably it would be advisable to construct two additional refuges.

COLONEL NOLAN (Galway, N.): I have certainly a great objection to this Vote, and for this reason, that we have

been greatly humbugged in respect of this statue of the Duke of Wellington. The old statue was got under false pretences and sent to Aldershot, and now we are asked for £2,000 in addition for the new statue.

DR. TANNER (Cork Co., Mid): I wish to make a few remarks in connection with a subject touched upon by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler). The right hon. and learned Gentleman the First Commissioner of Works (Mr. Plunket) may recollect that on a memorable occasion, when we sat till a late hour discussing the Estimates, I drew his attention to the dangerous state of the space in front of St. George's Hospital. On that occasion the right hon. and learned Gentleman gave me an assurance that the matter of my complaint would receive attention. I called his attention to the fact that several people had in the course of the week been injured, and that one of them had died in St. George's Hospital. This afternoon I could not help being struck with the great danger to passengers which there is at the place in question, and I found on inquiry that two people have been knocked down there to-day. On the last occasion I pointed out that there were two ways in which the right hon. and learned Gentleman could protect the passengers; in the first place, by placing extra constables on the spot, and, in the second, by giving the public the advantage of at least two supplementary refuges. I think the right hon. and learned Gentleman should give us something more than a bare assurance with regard to this matter, and I sincerely hope he will be able to pay attention to the demand which comes now not merely from a Member of this House, but from a gentleman of the high official status of the right hon. Member for East Wolverhampton.

MR. CONYBEARE (Cornwall, Camborne): There is, in column 8, page 13, an item of £150 for rent, of which I should like an explanation. Then with regard to the statue of the Duke of Wellington, I quite agree with the remarks of the right hon. Gentleman the Member for East Wolverhampton, who has expressed the view that there are quite enough monuments to the Duke of Wellington in the Metropolis, not that we should not be glad to see as many as possible to the memory of that great warrior, but because we think that a multiplication of statues of one individual, especially when they are not remarkable for artistic merit, is not desirable. As the right hon. Gentleman says, the Duke of Wellington lives in the hearts of the people, and we need not therefore spend more public money on his statues; but in connection with this monument we think it is right to ask the name of the sculptor to whom the commission has been given, and whether it was given as the result of open competition or favouritism. We are aware that in a great many cases, where public statues are to be erected, the commissions are given mostly to one particular individual. That has been the complaint amongst sculptors, and I think we have on this occasion to enter a protest if we find that this has been done in the case of the statue in question, not by puplic competition, but by favouritism. The Vote we are discussing now is for a "new statue to the Duke of Wellington: contribution by Her Majesty's Government." I suppose that means contributions by the nation, and it seems to be a misnomer to call it a contribution by the Government. Comment has been already made on the exaggerated amount which we are called upon to pay, and I think when these questions are discussed and settled, we ought to take every means in our power to let the people clearly understand what they are really paying for these unnecessary statues. For my own part, I think it would be better if, instead of erecting a statue, we planted trees, especially as, in the present instance, we find that the statue is to be placed on the top of the arch at Hyde Park Corner. [An hon. MEMBER: No.] An hon. Gentleman says that is not so. I am very glad to hear this, and I hope the right hon. and learned Gentleman will confirm it, for anything more absurd than putting the statue on the arch cannot be conceived. I should like to say one other word in connection with the improvements at Hyde Park Corner. I think if we were to put up a pillar inscribed with the date of the improvements and the name of the First Commissioner of Works responsible for them, it would have this beneficial effect—that future generations would be able to express their approbation or condemnation of the conduct of our

public officials, and it would, at the same time, be a warning to our Successors not to throw away public money.

MR. PLUNKET: With regard to the subject referred to by the hon. Member for East Donegal (Mr. Arthur O'Connor), it was brought to the notice of the Committee that there were, from time to time, works in the nature of new works or continued works, which had been borne as Maintenance, and which would more properly come under the head of minor works. These were transferred to that sub-head, and hence there appears a larger item under minor works. The £2,000 in connection with the statue of the Duke of Wellington was agreed to by the Treasury for certain improvements in the pedestal of the statue; but as to the merits of the statue itself, I have nothing to do with them, as the work was under the direction of a Committee. I am afraid that it is true that the block at Hyde Park Corner has been increased, or, at all events, not diminished, by the new streets; and I think it will require additional care and attention on the part of the Police Authorities, with whom the matter rests. I am glad to say that in future this charge will not appear on the Estimates, all the expense having been transferred from the taxpayer to the locality. With regard to the suggestion of the hon. Member for Mid Cork (Dr. Tanner), the point is one to be urged on the Metropolitan Board of Works, and whatever is done, I am glad to say that the taxpayers will not have to pay anything more on this account.

MR. PICTON (Leicester): I should like to have an explanation of the item of £490 for minor works at Regent's Park and Primrose Hill. I suppose this includes the expenditure on the new pavilion at Regent's Park; at any rate, there is a new structure put up in the Park, as to the design of which I think complaint may reasonably be made. It is a galvanized iron structure, awkward and angular, and, as I think, altogether an eyesore. I should like to know whether any attention was paid to the design of this building by the authorities?

MR. PLUNKET: I cannot agree with the hon. Member in his remarks upon this building, which is for the use of cricketers. I have been walking in the Park within the last few days, and I do not think the structure is of the ugly character which the hon. Member gives it; and it is, besides, partly hidden by trees. The building is one that could easily be removed if it ceased to be required. It is not public property.

MR. LABOUCHERE (Northampton): I rise to move the reduction of this Vote by the sum of £2,000, the amount which we are called upon to give this year for the statue of the Duke of Wellington at Hyde Park Corner. I do not think that the explanation of this item given by the right hon. and learned Gentleman was satisfactory. As many hon. Members will recollect when the statue of the Duke of Wellington was removed from the Arch, there was a feeling on the part of a certain number of Gentlemen that it was desirable to replace it by another statue; but that feeling was not shared in the House of Commons. Those Gentlemen formed themselves into a Committee, and it was suggested that beyond a certain contribution we should not spend any money on the statue. The contribution was fixed at £6,000, and beyond that we had no liability of any kind. What has happened is evident. Gentlemen are very pleased to go on Committees, and say in a vague and general way that they will subscribe; but when it comes for cashing up, they very frequently do not pay. In this case the order was given, the subscriptions did not come in fast enough, and I presume the Committee made application to the Treasury for this additional £2,000. But that is no reason why we should give it. In these matters a bargain is a bargain. The House was asked to subscribe £6,000; I understood that we were not to incur any further liability, and that any sum required in excess would be met by public subscriptions. No doubt the public subscriptions did not amount to so much as was anticipated; or the Committee did not cut their coat according to their cloth, and ordered a more expensive statue than they could pay for. The right hon. and learned Gentleman has acutely said that this sum is for the pedestal; but perhaps I may be excused for saying that I do not believe a reasonable pedestal would cost £2,000; at any rate, when we subscribed the £6,000 it was for what was understood to be a fad on the part of a certain number of Gentlemen, and it is absurd that we should

be asked to pay £2,000 for a pedestal because they did not get enough money for the statue. I think hon. Gentlemen opposite will support my view that this is unfair, and that, having made a specific bargain, we should not be called upon now for this £2,000. I am surprised that the Treasury are so weak; they should have a little more backbone, and we must try to introduce some by refusing this money.

Motion made, and Question put, "That a sum, not exceeding £69,430, be granted for the said Services,"—(*Mr. Labouchere,*)

The Committee *divided:*—Ayes 61; Noes 96: Majority 35.—(Div. List, No. 251.) [9.30 P.M.]

Original Question again proposed.

DR. TANNER (Cork Co., Mid): I rise to ask the right hon. and learned Gentleman the First Commissioner of Works (Mr. Plunket) a question with regard to the Royal Gardens at Kew. Perhaps the right hon. and learned Gentleman will remember that we have, on a previous occasion, adverted to the points to which I wish to refer. We know that Sunday is the day of the week when the working classes get an opportunity of visiting establishments like Kew Gardens. These Gardens, with their greenhouses, conservatories, and other buildings, form one of the most pleasant places of resort outside London, and large numbers of the working classes go there for the purpose of securing health and relaxation. Unfortunately, however, the regulations in force at these Gardens impose serious inconvenience upon the working classes—and I should have thought this matter would have been taken up by hon. Members living in or about London, who might be expected to have the interests of the working classes of this great Metropolis at heart. My attention has been called to the matter by reading in the daily Press that the working classes, when they visit Kew Gardens on Sundays, cannot take in with them their bundles of sandwiches which they can carry with them into the country. Everybody knows that in consequence of the houses of refreshment not being kept open on Sundays—and I do not wish to be understood as objecting to the public-houses being closed during a part of that day, for the regulation doubtless tends to the benefit of the general public—the people who visit Kew Gardens take down their bundles of sandwiches with them. Well, but they are not allowed to carry these refreshments into the Gardens with them; they are not allowed to obtain their refreshments on the spot nor are they allowed to carry them in. They must either do without their refreshments or do without visiting the Gardens. I say it is something little short of cruelty to treat people in this way. We know that Kew Gardens have proved of great advantage to the State. They have proved of great advantage to India, because I see in this Vote that no less than £400 is advanced from that country for the maintenance of the Gardens, in consequence of the valuable experiments carried on at Kew for the benefit of that portion of the Empire. The working classes of London—the labourers and poor people who visit these places on Sundays—would be in a position to improve their minds and their health if their wants only had proper attention paid to them. I sincerely hope, therefore, that the right hon. and learned Gentleman will give us something more than an assurance that he will consider this matter. I trust he will say that the people who visit Kew Gardens will in the future be treated as people of the same class are treated at similar places in other parts of the world. I know that there are not the same stringent regulations in force in Paris, Vienna, and Berlin, which are insisted upon at Kew Gardens, and I would therefore call upon the right hon. and learned Gentleman to adopt in the interests of the general public such regulations at Kew Gardens as are found to work satisfactorily in other parts of the world. I referred to this matter on a previous occasion, and I am sorry to have to refer to it again. I referred to it on the occasion of a very long Sitting, and I hoped that attention would be paid to it. However, it is better late than never, and I now appeal once more to the right hon. and learned Gentleman to remedy the state of things I have described.

MR. CREMER (Shoreditch, Haggerston): I join with the hon. Member in his appeal to Her Majesty's Government

to relax the regulations which are now in force in Kew Gardens. I agree with him that it is a great source of annoyance to the poorer classes of our countrymen who visit these Gardens that they should be compelled to give up whatever bundles they may be carrying on entering the grounds. I have been witness to the freedom which is permitted to Frenchmen in the Bois de Boulogne, and in many other places in Paris, and I think if the same freedom were permitted to our countrymen it would be greatly appreciated by the working classes of the Metropolis. At the present time they are quite unable to take anything into the Gardens in the shape of refreshments, and they are oftentimes compelled to go outside to the public-houses, when the public-houses are open, when they otherwise would not do so. There is a part of the Gardens that I think might very well be set apart as a place where visitors might be allowed to take their refreshments. I hope the right hon. and learned Gentleman the First Commissioner of Works will see his way to relaxing the regulations which are now so rigidly enforced in Kew Gardens.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): I have inquired into this matter raised by the hon. Member for Mid Cork (Dr. Tanner), and I am assured and I believe it is the fact, that there is no place inside Kew Gardens where people could take refreshments in the manner proposed by hon. Members who have spoken. I regret that I am unable to assent to the proposal of the hon. Member; but it must be obvious to everyone that the grass plots which form one of the chief attractions at the gardens would be greatly disfigured by things which would be strewn about, such as pieces of paper and orange peel.

DR. TANNER: How is it that people can obtain refreshments at other public gardens. [*Cries of* "No, no!"] I can assure the right hon. and learned Gentleman that this is the case in Paris and other European capitals The arrangement is carried out without any trouble whatsoever. Am I to infer that in this country these Gardens merely serve the purposes of aristocrats, or pseudo-aristocrats, and that simply because there may be a bit of paper thrown here and a bit of orange peel thrown there only the aristocracy are to be catered for and the general public are to go by the board?

MR. PLUNKET: The general public visit Kew Gardens in large crowds, and always appear to enjoy themselves. They obtain what they desire in the way of refreshments just outside the Gardens.

MR. CREMER: I appeal to the right hon. and learned Gentleman to make an experiment of this kind for just one year. I think if he did so he would never see any reason to regret it. I myself have been a witness of what happens in public gardens abroad, and I can assure him that none of the disagreeable results he anticipates follow from the people enjoying the privileges which we ask him to confer upon our countrymen at Kew. What they do with their pieces of paper or empty bottles I am not aware; but I know that the French people are exceedingly careful of their public gardens and public places, and take great pride in keeping them in a proper condition and in preserving order in them. I certainly think that Englishmen would take quite as much pride in the preservation of order and propriety in Kew Gardens, and in keeping that place of resort in the same state of decency which prevails in public places in France. I would appeal to the right hon. and learned Gentleman whether he cannot see his way clear to devote that portion of Kew Gardens which is railed off near the lakes for the purposes of this kind. If he tried the experiment for 12 months, and found at the end of that time that it was a failure, he could rescind the order and revert to the present state of things.

MR. AINSLIE (Lancashire, N. Lonsdale): I wish to appeal to the right hon. and learned Gentleman the First Commissioner of Works upon a point which has attracted the attention of Parliament on former occasions, but upon which very little information has been received of late. I refer to the question of the Roehampton Gate. I believe that in former years an expenditure upon that Gate was rescinded, the cause being that private property interfered with the right of the public to enter the Park at that Gate. I wish to know whether any insuperable obstacles exist in the way of obtaining access to the Park by that Gate, or whether they have been re-

moved since the order I refer to was rescinded?

MR. PLUNKET: The difficulty is a financial one, because the property through which the approach to that Gate runs is private property, and some time ago when an overture was made to the owner of the property £2,000 was asked for permission to make a road through. Besides that expense there would be the expense of making the road—of strengthening and hardening it in order to make it fit for the traffic which would come over it.

MR. HENNIKER HEATON (Canterbury): I wish to say a few words as to the setting aside of a portion of Kew Gardens for the purpose of enabling visitors to take refreshments. I would remind the Committee that in most Continental gardens, and even in the public gardens in Australia, pavilions are erected for refreshments. I think the right hon. and learned Gentleman the First Commissioner of Works should consult those who have some experience in these matters, and should endeavour to get those facilities and advantages for the public in Kew Gardens which are now asked for. It is well known that London is a great way from these Gardens, and that large numbers of the poor go there for the purpose of getting the fresh air, but that when they get there, there is no place in which they can partake of the luncheons they have brought with them. Year after year this question comes up, and no matter what Government is in power we are never able to get the inconvenience of which we complain remedied. I trust this Vote will not be passed without the right hon. and learned Gentleman giving a promise that he will consult with his Colleagues and those who are interested in the Gardens in order to see what can be done to meet the views of hon. Members. I remember a similar discussion taking place last year, and I suppose that the present discussion will go on for a long time unless some desire is shown on the part of the right hon. and learned Gentleman to meet the wishes of hon. Members.

MR. ISAACS (Newington, Walworth): I cannot help thinking that the hon. Member for the Haggerston Division of Shoreditch (Mr. Cremer) has made somewhat of a mistake in attempting to set up a parallel between the Bois de Boulogne and Kew Gardens. I would venture to call his attention to the fact that the Bois de Boulogne is absolutely a public thoroughfare, traversed in every direction by public roads, and, therefore, I can understand their being no objection to persons taking their baskets and eating their luncheons there. I should think it would be a very difficult thing to impose restrictions upon that proceeding in such a place. I am disposed to allow the people who visit these very beautiful and useful gardens at Kew an opportunity of taking light refreshments there; but as a member of the public I should very much object to see the lovely lawns there disfigured by *débris* such as would follow from a neglect of the necessary rules and regulations. There is a portion of the Gardens, I would remind my right hon. and learned Friend, which seems particularly well adapted for the purpose of refreshment, I mean the sloping portion that comes down to the river bank. I think it would be a graceful concession if the right hon. and learned Gentleman would confer with those who have the management of the Gardens and see whether this slight relaxation of the rules cannot be carried into effect. I would throw this out to him as a suggestion. I can assure him it would be received by both sides of the House with great pleasure, if he will tell us that before this time next year the matter will receive attention.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I trust the right hon. and learned Gentleman will give this matter favourable consideration. I have no doubt that if the public are allowed to take their luncheons into the Gardens they will scatter pieces of paper, orange peel, and so forth about the place; but that seems to me a very small matter, and a very slight expenditure will enable the authorities to gather up what is strewn about in this way. If anyone would take the trouble to inquire into this matter he would see that every day hundreds and hundreds of baskets are taken from the visitors at the Garden gates, and retained by the attendants until the people return. Well, what happens in consequence of this? The people go in to the Gardens, and when they come out they are hungry and thirsty and are obliged to go into the public-houses to obtain their refreshments, and

the worst consequences ensue. If they were allowed to take their luncheons to some part of the Gardens they could enjoy themselves and refresh themselves with propriety. The last time I was at Kew Gardens I noticed that a large portion of the ground was railed off and that the public were excluded. I made inquiries of the gardeners and the people in charge as to why this was, and I was told that this portion of the gardens was kept entirely for Her Majesty's use. I asked when Her Majesty had last used it, and they said—"Not within the memory of man." This is a large piece of the Gardens, and I do not see why, since the Gardens are kept up at public expense, and that this part is not used by Royalty, it should not be thrown open to the public. I would ask the right hon. and learned Gentleman the First Commissioner of Works to take this matter into consideration.

MR. PLUNKET: Of course, after the expression of opinion which has fallen from hon. Members, I will consider whether it is possible to make any relaxation of the rules which will allow the public to use the Gardens in the manner suggested, without the Gardens being really disfigured. I should be very glad if it could be done; but I understand from the authorities that there would be a difficulty in confining the practice to any particular part. With regard to the observations of the hon. Baronet the Member for the Lichfield Division of Staffordshire (Sir John Swinburne), that there is a part of the Gardens held sacred, but not used by Royalty, I may say that I shall make enquiries on that point. Although it is true refreshments cannot be obtained inside the Gardens, yet there are places just outside where they can be obtained. However, I will inquire into the whole matter again.

SIR JOHN SWINBURNE: There is another question which I want to refer to, and which I believe comes under the Vote for St. James's Park. I wish to draw the attention of the right hon. and learned Gentleman to the fact that the trees between Buckingham Palace and Marlborough House are in a most miserable condition, and that I believe this might be rectified. We have Kew Gardens, where the best advice on arboriculture can be obtained, and I do not see why the trees of which I speak, near Buckingham Palace, should not be removed and others planted in their place, and properly cultivated. Many people think that trees will not grow in London; but if we look at the plane trees along the Chelsea Bridge Road, some of them only 20 years old and 50 feet high, we see that this is a mistaken idea. There is no reason why such trees should not be planted in the position I speak of, where they would grow as high as the elm trees in Hyde Park. I fancy the trees between Buckingham Palace and Marlborough House suffer from gas which escapes from the pipes and the lamp-posts; but anyone who has taken any interest in the matter must have noticed that for the past 30 years these trees have scarcely grown at all. They are only just alive. I would ask the right hon. and learned Gentleman to consult the authorities at Kew Gardens on the subject, and, if necessary, take steps to have other and better trees planted there.

Original Question put, and *agreed to.*

Resolutions to be reported upon *Wednesday.*

Committee to sit again upon *Wednesday.*

COAL MINES, &c. REGULATION BILL.

(*Mr. Secretary Matthews, Mr. Stuart-Wortley.*)

[BILL 130.] COMMITTEE.

Order for Committee read.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): Sir, in introducing the Coal Mines, &c. Regulation Bill, I may say that I do not consider it necessary to make a regular second-reading speech with regard to it, because it is introduced as a measure for consolidating the existing laws, and for embodying in its provisions the recommendations of the Royal Commission which has inquired into the whole subject. I may say that the Royal Commission has thrown a very great deal of light upon the question, and so far as the recommendations of the Commission have been positive, we have introduced clauses into the Bill giving effect to them. I can assure the House that we have given the greatest care and attention to the Bill, and we hope that it will be received with sympathetic regard in all parts of the House. I do not intend to make more than a few brief remarks in intro-

ducing the Bill; but no doubt the more important features of the Bill will be discussed in detail, especially two or three matters, when we reach the Committee stage. Indeed, in my opinion, it will be exceedingly necessary to have a pretty full discussion on some parts of the measure, and I have no doubt that hon. Members opposite will have objections to urge to some of our proposals; but I trust that in the course of the discussion upon the Bill all the arguments for and against the clauses may be fully brought out. I hope, Sir, that hon. Members opposite will not think that I am wanting in respect for them if I do not now go into the explanation of the clauses of the Bill; but in Committee there will be every opportunity of considering and dealing with the expression of opinion on both sides of the House. I now beg to move that the House go into Committee on this Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Secretary Matthews.*)

MR. BURT (Morpeth) said, he was glad that the House was at length afforded an opportunity of discussing the Bill. It was unusual, if not unprecedented, for a Bill of that magnitude and importance to be introduced and to pass its second reading without the Minister in charge of it making some sort of statement with regard to it. Indeed, the right hon. and learned Gentleman opposite (Mr. Matthews) seemed to anticipate such a criticism on the omission of an explanatory speech. Nothing was more usual than that the Minister should make a full and comprehensive statement upon such a Bill; but the Government had shown an extraordinary reluctance to discuss it before going into Committee upon its provisions. He (Mr. Burt) was willing to admit that that anxiety to get into Committee on the Bill arose from a desire to have the Bill passed into law with as little delay as possible. He sympathized with that desire; but he thought that there was a matter of quite equal importance, and that was that they should have the measure passed in a satisfactory manner and in a shape that would be effective in the protection of life. It was about 15 years since the Act now in existence was passed, and the measure now under discussion would probably settle the question for even a still longer number of years to come. No doubt it was a fact, as the right hon. and learned Gentleman stated, that the serious discussion would be in Committee on the Bill, and he (Mr. Burt) hoped that the Government would take care to afford ample opportunities for discussing it in Committee when they were fresh, and not exhausted with the consideration of other important Business. He did not know whether the Government sufficiently recognized the importance of the question, which dealt with a great industry, and affected the health, safety, and lives of more than 500,000 of our working population. He trusted the Government would show at least quite as much desire for the protection of the lives and health of miners, and that they would evince as much desire to fully discuss it, as hon. Members had shown in the discussion of the measure to facilitate the collection of landlords' rents in Ireland. In promising for himself, and those who acted with him, that they would not resort to obstructive tactics, he would insist that the Bill was fully and adequately discussed. Although the Bill dealt chiefly with the question of safety, yet there were other matters of considerable importance affecting the interests of the miners; there was the question of the position and power of the check weigher, and the question of female employment. With regard to the former, he regretted that the Government had, in the present Bill, to some extent lessened the power that that functionary already possessed. The present Act had worked fairly well in that respect. That was one of the questions that could best be settled by employers and workmen, and he might frankly admit that coalowners generally had been prepared to give and take in the matter. In the North of England, they had had very little friction indeed on this question. It was one of the matters in which the joint committee of workmen and employers had come to an agreement, which he trusted the Government would be prepared to accept, and if they did he believed the position of this important functionary would be more satisfactory in the future than it had been in the past. With regard to the employment of girls and women about the pits the Government Bill did not, in principle, make any alteration. He wished the Bill had done

so. He considered the time had come when this relic of barbarism should be abolished. The Home Secretary was too shrewd a man to imagine that he gained an exhaustive knowledge of this subject through the interesting interview he had with the carefully-selected sample of the women of the pits, who attended at the Home Office. The right hon. Gentleman must be aware that, in order to have a full and satisfactory knowledge of this question, he should see for himself the sort of work these women had to perform. He should also know something of the arrangements, or want of arrangements, for attending to the conveniences and decencies of life existing in connection with their labour. He would not, however, further pursue the subject, which was one they would have to debate fully in Committee; but he would appeal to hon. Members not to hastily commit themselves to a defence of the existing system, unless they knew exactly what that system was, and the sort of results it produced. He would especially appeal to them not to lay down any abstract principle on which they meant to act. Some of his Friends were going to oppose the Amendment he (Mr. Burt) intended to move, because they were against any limitation whatever to the employment of women. That principle, however, would carry them very far, indeed, much farther than the Bill proposed to do, for the Bill began by prohibiting the employment of girls and women underground; and so far as the right hon. Gentleman opposite (Mr. Matthews) suggested any amendment of the existing law, he did so in the direction of still further limitation, forbidding them to move railway waggons and the like. He (Mr. Burt) should propose to carry that principle still further. The Bill, as he had said, dealt chiefly with questions relating to the protection of life. Last year 1,018 persons had lost their lives in the mines, and during the last 10 years there had been a total loss of life to the extent of 11,870, or on an average of 1,187 per year. People generally, when they were told of the risk of mining, thought about explosions; but explosions were not the most serious cause of the loss of life in mines. In regard to the use of lamps, those lamps which had been proved by experience to be utterly unsafe should be prohibited. The portion of the Bill relating to blasting with gunpowder would also require very careful attention. While the use of it could not be entirely prohibited without great inconvenience, one thing was quite clear, that in fiery and dusty mines the use of powder should either be entirely prohibited or should be guarded in the strictest manner by the use of water in such a way as to lessen or obviate the risk of explosions. But the great loss of life in mines—as much as 41 per cent—arose from falls; and, therefore, there should be the strictest supervision in regard to the setting of the timbers, as well as to the provision of an ample supply of timber. He admitted that past legislation in connection with mines had been invaluable. It was quite true there had been, and still existed, a great loss of life in mines; but when they looked to the number of persons employed and the quantity of minerals got out, the loss of life was year after year diminishing, and the present Bill was a step in the right direction for still further diminishing that loss. This was a Bill mainly to secure safety, and he heartily agreed that whatever could be done by legislation ought to be done for the protection of the lives of the wealth creators in the mines. Do what they would, the calling of a miner must always be a dangerous one; but all that money, skill, and care could accomplish should be done to protect those who pursued this dangerous occupation.

MR. STAVELEY HILL (Staffordshire, Kingswinford) said, he congratulated his right hon. and learned Friend the Secretary of State for the Home Department (Mr. Matthews) on bringing in the Bill, which would fill up the gaps left in the Bill of 1872. As a Staffordshire man, he did not agree with the hon. Member for Morpeth (Mr. Burt) about the employment of women. He had seen the work of the bankswomen in South Staffordshire, and he could only say on their behalf he did not believe that in any agricultural district in England could be found a better-conducted set of a people than these women; and he trusted the House would be very careful indeed before they took away from them that employment by which they were earning an honest wage which they sorely needed for the maintenance of their families at the present time.

MR. MASON (Lanark, Mid) said, he desired to thank the Government for giving precedence to the Coal Mines Regulation Bill, which was agreed to in principle by both sides of the House, and there was a strong feeling abroad of the necessity there was for its passing into law this Session. He was specially interested in this being accomplished, in view of the terrible disaster which recently took place at Udston during the Whitsuntide holidays. It was his lot to witness some very painful scenes in connection with that sad event. As the House was probably aware, that disaster took place in the Division of Lanarkshire which he had the honour to represent. The mines there were highly dangerous, being what was called fiery mines. Ten years ago the terrible Blantyre explosion took place, which was only two miles from Udston, and on that occasion no fewer than 233 lives were lost. On the morning of the 28th May last, when all was calm, suddenly a report was heard, flames issued from one of the shafts of the Udston pit, and it was seen at once that a great explosion had occurred. No less than 170 men were entombed in the shaft. The mine was one of great value, having three seams of coal, the explosion occurring in the lower or splint seam, in which 72 men were at work at the time, only two of whom were brought to the surface alive. It was now ascertained that 73 lives were lost, and that many persons were fearfully injured. No fewer than 32 widows, 100 children, and 10 parents were rendered destitute, all of whom were dependant upon those so suddenly sent into eternity, and one small village was nearly swept of the whole of its male inhabitants. The mines were apparently provided with all the most approved modern appliances, and were worked under inspection. The immediate cause of the explosion had not yet been ascertained, and probably never would, as no one was left who could have explained it; and, in view of the inquiry to be held, he would only say that the mine was known to be a fiery one, and that the precautions prescribed by the Legislature were quite inadequate. In his opinion it was the bounden duty of the House to strengthen the Bill before Parliament, so as to prevent, as far as legislation could prevent, these frequent dreadful disasters. He felt it his duty highly to commend the brave men who risked their lives to rescue the entrenched men to the consideration of the Home Secretary, and he thought they well deserved to be presented with the Albert Medal, either of the first or second class. There was not the least hesitation or want of bravery on their part to descend the shaft when it had been cleared. The manager of the mine stated that it was worked by means of two shafts to the splint coal. The ell, or uppermost seam, was 130 fathoms deep; the main seam was 140 fathoms; and the splint seam 150 fathoms. The mine was ventilated by a fan which sent 68,000 cubic feet of air per minute through the workings. The splint coal, in which the explosion took place, had been worked for about 25½ years. It was commonly worked with safety lamps, and blasting was only allowed in virgin coal in the splint seam in exceptional cases where the coal was found to be very hard, and then only allowed in presence of the foreman. Gunpowder was the explosive used. Clause 50, rule 1, provided that—

"An adequate amount of ventilation shall be constantly produced in every mine to dilute and render harmless noxious gas to such an extent that the working places of the shafts, levels, stables, and working of the mine, and the travelling roads to and from, shall be in a fit state for working and passing therein, and that in mines under the control of a certificated manager the quantity of air in the respective splits or currents shall once in every month be measured and entered in a book to be kept for the purpose at the mine."

In his opinion that was not enough; 68,000 feet of air per minute was a sufficient quantity, but it was not properly diffused. In such a mine as the Udston mine there ought to be a supply of not less than 15,000 feet of air per minute sent into every section of the mine for every 60 men at work, and it ought to be made imperative to have the air measured and entered into a book every 24 hours. Another suggestion he wished to offer was that timber bratticing in such mines should be prohibited, and brick or air-tight passages alone allowed. Clause 17, Sub-section *b*, provided—

"That such shafts or outlets must not at any point be nearer to one another than 10 feet, and every such communication not less than 4 feet wide and 3 feet high."

That was altogether inadequate, and most unsatisfactory. Ten feet was absolutely worse than worthless. The two shafts at the Udston Colliery were 40

yards apart, and that was found to be quite little enough, one shaft being completely wrecked by the explosion and the other partially so. He had put an Amendment on the Paper that the shafts be not less than 50 yards apart. Had they been only 10 feet apart at Udston the probability was that not one of the 100 men who were saved would have been brought to the bank alive. The important point was that the communication between the two shafts underground should be not less than 200 yards. Another point requiring attention was that the upcast shaft should be at all times clear, and used for ventilation purposes only, because when an explosion occurred it was the cage in the shaft which generally caused the wrecking of the shaft. The upcast shaft should not be permitted to be used for either winding coal or pumping water. Safety lamps, which were of the utmost importance in such a mine, should be best known and recommended by the inspector. The most important thing, however, was to see that a mine was properly ventilated, because men might be killed by constantly breathing an impure and poisonous atmosphere. The Bill provided—

"That proper apparatus for raising and lowering persons from each shaft or outlet shall be kept on the works belonging to the mine; and such apparatus, if not in actual use at the shafts or outlets, shall be available for use within a reasonable time."

He had put an Amendment on the Paper to strike out the words "reasonable time," and to provide that such apparatus should be always available, "reasonable time" being a matter of opinion, and liable to abuse. Then with regard to the employment of boys under 12 years of age, he thought they should not be longer employed than 48 hours in one week, or 8 hours in any one day, instead of being liable to be employed for 58 hours in one week, or 10 hours in any one day, as provided by the Bill. In conclusion, he pressed upon the House the necessity of proceeding with despatch and passing this much-needed piece of legislation for the protection of men. The work in which these men were engaged was highly dangerous, and, he was sorry to say, poorly paid, and he thought they had special claims upon the attention of the Legislature, especially when they considered that they contributed so largely to the comfort, welfare, and prosperity of the country.

MR. F. S. POWELL (Wigan) said, he not only had the advantage of taking part in the legislation of 1872, but was also a Member of the Select Committee whose deliberations prepared the House and the country for that Act. He had also the further advantage of being a native of Wigan, the centre of the Lancashire coal-field, and of having been intimately acquainted with that district from that day to the present. In his opinion, every Amendment and change of the Law proposed in the Bill was in favour of the safety and protection of life of the miners. Hon. Members on the Opposition side of the House did not have a monopoly of sympathy towards the working collier, for the course taken by the Government showed conclusively that the Ministerial was at least as anxious as the Opposition side to protect the working collier in his daily avocation; and if there was any competition between the two Parties, the rivalry was as to who could do most for the miners. He hoped that, before this Bill left the House, the law would be placed in such a condition that not only property might be rendered more secure, but also that which is far more valuable than any property—the lives of the working men would be made more safe. It had been said that the masters regarded the check weighman as an intruder; but he had never heard the employers use such language. What the masters did object to was that the check weighmen had sometimes attempted to go beyond their province; but he believed that a definition of their duties had now been arrived at which would remove all difficulties. With regard to the pit-brow women, these were probably employed more largely in the Wigan district than in any other, and he could say, as the result of long observation and careful inquiry, that in their conduct, their manners, and their morals they were at least equal to other women of the working class in Lancashire. Indeed, if there was any difference between the pit-brow women and those who worked in factories, it was rather in favour than against the pit-brow women. He denied that the women who had formed a deputation to the Home Office had been in any way specially selected, and

affirmed, on the other hand, that they were average specimens of the class to which they belonged. What they contended for was freedom to labour, and work for women was not so abundant that cynical critics should laugh at them for pursuing an honest industry. The policy of Parliament was rather to enlarge opportunities of work than to restrict them; and any action of the Legislature in favour of restriction would be retrogressive, and not in harmony with the tendency of the times. It must not be forgotten that the coal trade was at this time greatly depressed. There was employed in that industry a large amount of capital, producing at the best but a small remuneration, a large portion of which would in all probability never be recovered. Care must, therefore, be taken that capital was not driven out from the coal trade, because capital was required to give remunerative employment to labour, and without capital labour was incapable of being used. He desired the welfare and prosperity of the entire mining community—to protect the workman as far as skill, science, and legislation could do it, and to encourage the investment of the capital required to employ the labour. They must seek the interests of both capital and labour, with the earnest hope that the results of their labour might be to restore prosperity to that great industry, and to continue employment to that most meritorious class of our working population, the colliers.

MR. BROADHURST (Nottingham, W.): I was almost afraid we should get over this debate without that very strong warning which the hon. Gentleman the Member for Wigan (Mr. F. S. Powell) has just given that we must be careful lest we, by legislation, drive capital out of the country. That is a familiar warning, and we have heard it applied to all subjects connected with labour legislation. Many have been the occasions on which we have been told that if Bills under debate were passed a certain industry would close for want of capital and that people would emigrate. But we are happy to know that no such calamity has followed labour legislation. I wish to offer a very few observations on this Bill. The right hon. and learned Gentleman the Secretary of State for the Home Department (Mr. Matthews) did not give us much scope for debate. His speech was concise and very short indeed, and I do not know that there is much that is new in his Bill, or that the contents differ much from the contents of the Bill proposed last year by the right hon. Gentleman the Member for South Edinburgh (Mr. Childers), which no doubt, to some extent, guided the right hon. and learned Gentleman the present Home Secretary to his decision on this important subject. I had the honour of having my name on the back of the Bill of last year, but there were one or two points upon which the Bill did not come up to my desire as to what legislation on this subject should be; and I have no doubt the present Under Secretary—the hon. Gentleman the Member for the Hallam Division of Sheffield (Mr. Stuart-Wortley)—will be able to bear witness with me that Under Secretaries do not always get their opinions embodied in first rate measures to the extent they would desire. One of these subjects is the labour of women at the pit bank, and here I may confess that I must support the view taken by my hon. Friend the Member for Morpeth (Mr. Burt), rather than the view set forth in the Bill itself, as also in the Bill of last year. I do not think it would be well for us to debate at length the merits of the question of employing women at this stage, which will have to be gone into rather more fully at a later stage. Then the question of the check-weighman is an important point we shall have to settle once for all, making it perfectly clear that the check-weighman is independent alike of the control of the employer as of anyone else. I do not think my hon. Friend (Mr. Burt), when he spoke of employers looking upon the check-weighman as an interloper, meant that observation in any bad sense whatever, or with any desire to be controversial in a struggle as between miners and their employers engaged in this work. There is one other subject I wish to refer to. It was not provided for in the Bill of last year, and I regret to see it is not provided for in this Bill. Perhaps the right hon. and learned Gentleman the Home Secretary will be good enough to consider what I am going to say between now and Wednesday, and I will put my Amendment on the Paper to-night, with a hope that he may be able to accept it. It has reference to the qualification of the engine

men engaged at the pit bank. We notice the frequency of serious accidents involving great loss of life arising from the negligence, the carelessness, or the incapacity of men in charge of the winding gear, or, in other words, of the engine. Now, I shall ask the Committee, when we reach that stage, to make a provision in the Bill that all engine men who have not been in charge of an engine for 12 months shall be required to obtain a certificate of competency from the Board of Trade in like manner—but not after such a severe examination—as the certificate now required from men who take charge of engines on board ships. This is a very necessary provision of safety for the lives of miners, and I believe I am correct in saying that the mining laws of our Colonies contain this regulation, as they also do a provision that men charged with this very important work shall not work more than eight hours a day. Whether the Committee will be inclined to go so far as that I do not know, but I think I may fairly ask the Government to consider this phase of the question. I hope the right hon. and learned Gentleman the Home Secretary will have time, between this and Wednesday, to make inquiry, and inform himself on the point. [Mr. MATTHEWS dissented.] The right hon. and learned Gentleman shakes his head already. He thinks he will not have time between this and Wednesday. Well, my Amendment will not come on for consideration until the latter part of the discussion, and probably he will have a longer interval for considering it. This reminds me of another point. There seems to be an opinion in some quarters that the Committee stage of this Bill, or the greater part of it, will be concluded on Wednesday's Sitting; but I think it right to warn the Home Secretary that a measure of this important character, containing a large number of clauses and rules as to which the House has had little or no debate, cannot be so rapidly disposed of, nor do I think it respectful to the large industry and interests concerned that a measure should pass the second reading without debate, and that the next stage affording opportunity for debate should be taken late on the eve of a great national holiday, and the Committee on the day following the national holiday. It does not mark a due sense of the importance of the subject. With these few observations, I express a hope that we may dispose of this initial stage of Committee without prolonged discussion. I apprehend that my hon. Friend the Member for Morpeth has no idea of taking the sense of the House by a Division this evening.

MR. FENWICK (Northumberland, Wansbeck): Mr. Speaker, I cannot join with the hon. Member for Wigan (Mr. F. S. Powell) in his criticism of the remarks of my hon. Friend the Member for Morpeth (Mr. Burt) with reference to the reluctance of the Government to afford proper facilities for the discussion of a Bill of such importance and magnitude as the one now under discussion. I consider that the conduct of the Government in refusing to afford us up to this stage proper facilities for the consideration of the Bill most reprehensible, and I can assure the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) that this reluctance on their part has been very freely and frankly criticized in the country, especially in the mining districts. The conclusion to which vast numbers of miners have come is, that the Bill we are now considering deals with a subject on which Ministers generally possess no practical or theoretical knowledge, and that they, therefore, endeavour to avoid, as far as possible, what may be considered second reading criticism of the provisions of their Bill. While I do not commit myself to such an assumption, I consider such an assumption is very fairly borne out by the circumstances under which the second reading of the Bill was obtained. The second reading was obtained on a Wednesday at a quarter to 6 o'clock, when it was impossible to obtain a debate upon the provisions of the measure, and when the direct miners' Representatives were compelled to be absent from the House. The only miners' Representative present when the second reading was taken was, I believe, the hon. Gentleman the Member for the Houghton-le-Spring Division of Durham (Mr. Wood). Why that hon. Gentleman did not attempt to put before the House what the miners consider to be the weak and unsatisfactory points of the Bill I am not supposed to be in a position to know; but if the hon. Gentleman is disposed to speak later on in this debate, I hope he

will tell us why he refused to do so, especially as he has said that if anyone present had objected to the second reading the Government were prepared to defer it till another day. Now, Mr. Speaker, perhaps the House will permit me to make a personal explanation. I observe that the hon. Gentleman the Under Secretary of State for the Home Department (Mr. Stuart-Wortley) has said that the second reading was taken after I and my hon. Friend the Member for Mid Durham (Mr. W. Crawford), who I regret is absent from the House to-night on account of ill-health, had consented to its being taken without discussion. I assure the hon. Gentleman I did nothing of the kind; he is labouring under an entirely false impression. I have no doubt the hon. Gentleman had in his mind, when he made that statement, a conversation which took place between myself, the hon. Member for Mid Durham, and the Home Secretary behind the Chair, when we sought to induce that right hon. and learned Gentleman to defer the second reading of the Bill until after Easter. The right hon. and learned Gentleman gave us no reason to hope he would comply with our wish, and then the Bill was taken in our absence, and at a time when, as I have already said, a debate was impossible. Now, I shall not detain the House very long to-night, but there are a few points to which I feel bound to allude. Reference has been made to-night to two subjects of very special importance. One of those subjects is the employment of boys, and the other the employment of women. The right hon. and learned Gentleman the Home Secretary (Mr. Matthews) has already introduced provisions restricting the employment of women—provisions to prohibit women from moving waggons about the pit. Perhaps it would have been better if the right hon. and learned Gentleman, in the short statement to which he treated us, had favoured us with the reason on which he introduced such a limitation. Surely his reason can only be that the moving of waggons is unwomanly work, or that it is too arduous work for women to engage in. If that be the reason why the right hon. and learned Gentleman has introduced this limitation in the Bill, I ask him if he has fairly and fully considered the arduous task that is imposed upon women in moving for eight hours, and in many cases for 10 hours, a-day tubs upon the pit bank, laden with minerals, and weighing on the average 15 to 18 cwt.? [Mr. MATTHEWS: Nothing of the sort.] The right hon. and learned Gentleman says nothing of the sort; but I am speaking from personal experience. Some of the tubs will carry from 10 cwt. to 12 cwt. of coal, and, when that is taken in conjunction with the weight of the tub, it is safe to say that the women are compelled to move about the pit bank weights varying from 15 cwt. to 18 cwt. I am surprised to see that the stony heart of the Home Secretary has been touched by the deputation of pit-brow women. Probably we shall, by-and-bye, have the right hon. and learned Gentleman offering his hand in marriage to one of these pit-brow women. It is quite easy to get up a demonstration such as that which was made by the deputation brought to interview the right hon. and learned Gentleman in favour of the employment of pit-brow women. The hon. Gentleman the Member for Wigan (Mr. F. S. Powell) has said that there was no special care exercised in the selection of the pit-brow women to wait upon the Home Secretary; but I assure the right hon. and learned Gentleman we have information to the contrary, information to the effect that very great care was exercised in the selection of the women, and that even very great care and attention was paid to the attire in which the women were to appear by persons directly and personally interested in the employment of women. The hon. and learned Gentleman (Mr. Staveley Hill) who spoke from the other side of the House to-night spoke in glowing terms of the encouragement that ought to be given to pit-brow women to earn a little to keep themselves in a state of respectability. But why are women compelled to work on the pit-brow? Because the capitalists in many cases—the capitalists referred to by the hon. Gentleman the Member for Wigan—are interested in keeping down the wages of the labourer, and compelling the labourer and his wife and daughter to go out and work in order to maintain themselves in decency and in respectability. I hope that when hon. Members come to consider in Committee this question of the employment of women, they will give

the subject their most careful consideration, and will not be led away by any plausible statement on the part of the capitalists, by men directly interested in the employment of women. The hon. Member for Wigan referred to a Petition that had been presented to the House by the hon. Member for Stockport in favour of the employment of women; but let me say we could get Petitions by the score and by the hundred against the employment of women in such laborious work as pit-brow work. Another point to which I shall briefly call the attention of the House is that of the employment of boys. I regret exceedingly that the Home Secretary has not seen his way clear in amending the Bill to raise the limit in the age of boys from 10 to 12 years. Such an amendment would be very reasonable. Ten years of age is by far too tender an age for boys to be taken into a mine. It is impossible for a boy of 10 years of age to have acquired anything like a taste for learning, for reading, for knowledge; and if the children of miners are to have a fair chance with the children of other workmen, they must be permitted to attend school until they have acquired a taste for information. I submit to the House that a boy cannot, at the age of 10, have acquired that taste. Though I myself began when I was nine years of age, I do not consider that I had anything like a fair chance in life. I do honestly hope the right hon. and learned Gentleman the Home Secretary will see his way in Committee to accept the Amendment of my hon. Friend the Member for Morpeth (Mr. Burt), and fix the limit at 12 years of age, instead of 10. Why, a boy only leaves the infant school at the age of seven, and, assuming he has been reasonably successful at each year's examination, he can only be expected at 10 to have passed the Third Standard. I submit that, at present, lads in the mining districts have not a fair chance of pushing their way in life and of earning for themselves a respectable position. I sincerely hope the right hon. and learned Gentleman will be prepared to accept the Amendment of my hon. Friend. There is just one other point to which I desire to call the attention of the House. No one will more readily admit than myself that it is necessary that provision should be made in this Bill for the deductions from the wages of the miners for what is known as sending up slag and stone with the mineral; but I think the right hon. and learned Gentleman ought to see that such deductions are at least fair and honest. I have in my mind a case where a father and two sons were compelled to labour under such conditions that when they had produced mineral the average selling price of which was £4, they themselves did not receive at the end of the day's work a single farthing. I maintain that such a state of things is unfair in the extreme, and that the right hon. and learned Gentleman ought to take care that under this Bill only such reductions are permitted as are fair and reasonable, and which will secure to the workman what is just for his labour. I sincerely hope there will be no attempt on the part of the Government to unduly force this Bill through Committee. I join with my hon. Friend the Member for Morpeth in the idea that he must be a very sanguine-minded man who thinks that a Bill of this magnitude and importance can be passed through the Committee stage at a Wednesday Sitting.

MR. TOMLINSON (Preston): As I may be regarded as a Representative of the mining industry, perhaps I may be allowed to say a word or two upon this Bill. I do not propose to argue to-night the question of the employment of women. I do not regard the question as one on which the employers are on one side and the workmen on the other. It is a question on which we in Lancashire are all on one side. In proof of that, I may mention that I myself had the honour of presenting a Petition signed by 1,000 women working on the pit-banks, and 4,000 of their male relatives, in favour of a continuance of their right to be so employed. I totally deny any suggestion that the agitation for the continuance of the employment of women at the pit-brow was in any way proposed by the employers; it was a spontaneous movement on the part of those who felt that this employment might possibly be taken away from them. In reference to the question of moving waggons, I do not think that, as a general rule, women are put to unduly heavy tasks, and I will put a test question to hon. Gentlemen. Many hon. Members have, no doubt, been in districts where women work on the pit-banks, and I ask any

one of them whether, in his experience, he has ever seen a pit-brow woman with a round back? I do not know a better test of whether the labour pit-brow women are put to is above their strength than that. Personally, I have observed these women to be uniformly robust and straight-backed. The object of the restriction proposed by the right hon. and learned Gentleman the Home Secretary is one of which I entirely approve—namely, to absolutely prohibit the assistance of women in moving railway waggons. Such employment of women is objected to by every good manager. There have been instances in which women have done work of this kind which is unsuitable for them, and I entirely approve of it being stopped by Act of Parliament. Now, I desire to say, on behalf of the associations I have the honour to represent, that we consider the thanks of those who are engaged in mining operations are greatly due to the Government for the care with which this measure has been framed. No doubt, we are considerably indebted to the late Government for some portions of the measure; but, at the same time, I believe that a close inspection will show the care that has been devoted to the elaboration of the Bill since it came into the hands of the present Government. I know that great pains and trouble have been taken in the preparation of the Bill, and it is a matter of satisfaction that a Bill has been produced which, on the whole, is considered satisfactory, and meets all the requirements. I take it that the principal object of the Bill is to carry out the main provisions of the Act of 1872, with such modifications as the progress of science in the interval will allow. It is very necessary, in framing these provisions, not to go beyond the ascertained facts of science. It is very easy to put clauses into a Bill which mainly rely for their efficacy on that portion of science which is at an experimental stage, and it is easy to rely on a test of danger which has only been imperfectly investigated and may prove, when tested, a delusion and a snare, and not aid in diminishing the cause of the danger it is intended to prevent. I agree with the remarks of the hon. Gentleman the Member for Morpeth (Mr. Burt) with respect to check-weighmen, and I hope that, upon the whole, it may be considered the matter has been put upon such a footing that there will be no difficulty in coming to an arrangement. There is one point in the Bill upon which it is necessary to say a word, and that is that of certificated managers. This Bill introduces, for the first time, two classes of certificates. I think that if it had been proposed two years ago to introduce two classes of certificates, there would have been great hesitation on the part of employed as well as of employers to accept the change. On the whole, I think the provision is desirable, and I am prepared to support the Bill in this respect. Only one observation on general rules. Of course, it is very difficult to make general rules to govern mining operations in all parts of the country. Indeed, it is impossible to frame regulations which will apply equally or with equal success to the conditions of every part of the country, and I am one of those who think it is desirable not to carry general rules too far, but to leave specific cases to be dealt with according to their particular circumstances. I may, however, remind hon. Members that the special rules are not to be framed on the authority of the Home Secretary alone, but means are to be taken to see they are properly and carefully framed. The hon. Gentleman the Member for West Nottingham (Mr. Broadhurst) spoke of the desirability of certificates for engine men. With reference to that observation, this remark may be made—that it is quite as much in the interest of employers as it is of the employed that only competent engine men should be employed; and if it were generally believed that the granting of certificates would prove the best means of getting better and more careful engine men, I should not object to it. But it is not difficult at present to find men technically qualified to act as engine men. The great difficulty is to select men who will exercise their knowledge with sufficient care. I think that most of the accidents which have arisen from the fault of enginemen have arisen not from the want of knowledge, but from the want of care. The hon. Member for West Nottingham seems to think that the question of driving capital away from trade is one of secondary importance. I do not at all agree with him. I think that while we ought to be careful not to omit any provision which is desirable in the inte-

rest of the safety of those engaged in mining operations, we ought not to be unmindful of the interest of those who have invested capital in mines. In conclusion, I will only say again that I think the country, as well as the mining industry, are greatly indebted to the Government for the very great care and attention which has been paid to the framing of this measure. I should also like to say I think the country is also very greatly indebted for some of the provisions of this Bill to the Royal Commission on Explosions in Mines, of which the hon. Gentleman the Member for Morpeth (Mr. Burt) was so efficient a Member.

MR. ATHERLEY-JONES (Durham, N.W.): In rising to make a very few observations upon this Bill, I should like to express my very great regret that my hon. Friend the Member for Mid Durham (Mr. W. Crawford) is not present to-night to give us the advantage of his wide experience. I hope the cause of his ill-health is not of such a character as to prevent him giving us his assistance in Committee. I also desire to express my strong deprecation of the conduct of the Government in allowing this Bill to be put down for this night, when it was perfectly certain there would be but a very scanty attendance of Members. This is a Bill of the most vital importance to a very large section of the community, and it is to be regretted that so few Members are present to take part in its consideration. Now, I am sorry I cannot join in the observations made by my hon. Friends who have preceded me. I do not take a very benignant view of the Bill. In my opinion, it is very little more than a re-arrangement of clauses, with some minor verbal alterations. It is a Bill which entirely excludes all consideration of and dealing with questions of the very greatest importance to the mining community. I do not wish to make an assertion of this kind without giving instances in support of it. I will not say more than a word upon the Amendment I have put upon the Paper as to the exclusion of women from the pit-mouth; but I must say that the Home Secretary appears to have totally disregarded the very serious issues involved in the question of female labour at pit-mouths. The only thing I gathered from the speech of the right hon. and learned Gentleman, beyond what he said in his address to the women from the coal districts—whom I assert, in addition to what has been already asserted, were selected — was that he rather admired their Bulgarian costume. That is all I gathered from his observations. Undoubtedly, as I shall be able to prove on a future occasion, there is a larger amount of immorality amongst that section of women than it is possible to find amongst any other section of women of that class. But, apart from that, the labour that these pit-mouth women have to perform is undoubtedly labour of a very degrading character to females; and as such, and following the precedent of previous legislation, it is only right that this labour should be put a stop to in that one quarter where it is found to exist. I should like to ask the right hon. and learned Gentleman the Home Secretary why, since the Royal Commission condemned in most unmeasured terms the Clenny and Davy lamps, he has not himself prosecuted their user? I do not say a word as to proscribing any particular lamp; but I say why does he not proscribe lamps which are admitted by all scientific authorities, and by the Royal Commission in their tentative Report, to be improper lamps? I should also like to ask the right hon. and learned Gentleman why there is not a single provision in his Bill with regard to the limitation of workings? I know it is a very difficult question, and I am not going to pretend to discuss it, seeing that I am not competent by experience or technical education to deal with it thoroughly. But, at the same time, I think I may be allowed to say—and I think the hon. Baronet who represented a [Division of Durham not long ago, and who was a great authority on mining (Sir George Elliot), will admit—that there is good ground for limiting the extension of workings, and I think that some legislation on that subject might have been reasonably anticipated from the right hon. and learned Gentleman the Home Secretary. I should also like to ask the right hon. and learned Gentleman why not the slightest provision has been made for a more adequate system of inspection? I altogether reprobate the present system of inspection. I should like to ask the attention of the right hon. and learned Gentleman to this point, because

I happen to have had some little experience with regard to mining matters in my professional position, and I think I may reasonably anticipate a certain amount of consideration from the Government. I should like to call the attention of the right hon. and learned Gentleman to the fact that no provision has been made with regard to a more adequate inspection of mines. Will he explain the absence of any provision of that kind? He may appoint Inspectors; but there is no provision in this Bill by which really efficient inspection of coal mines will be provided. I admit the difficulty; but, at the same time, I think the right hon. and learned Gentleman should have increased power in this matter. What is the position now? An Inspector, if he finds a fault in a mine, gives notice to the owner; but 21 days may elapse before the owner takes any notice of it. Then 21 days may again elapse before a Government inquiry is held. That is not as it should be. An Inspector should be able at once to step in and say—"Such and such a practice is dangerous; I forbid it." And he should have a facile means of bringing the offending owners or managers before a bench of magistrates, in order to have the question of danger or no danger adjudicated in the light of scientific testimony. Again, I should like to call attention to the absence of a real practical provision with regard to shot-firing—and here, again, I admit the great difficulty which exists in this question. It is one that owners and employers are agreed you cannot prohibit altogether; but, at the same time, what are the precautions taken in the right hon. and learned Gentleman's Bill? He gives a sort of vague instruction that the place where a shot is to be fired is to be watered, or, as an alternative, that the men are to be removed. Now, what I contend ought to be insisted upon is this—that all men who are not more or less immediately engaged in the firing of a shot in the particular district in which the shot is fired should be removed from the workings. That is a drastic proposition; but it is the only one by which safety for the lives of the miners can be secured. I hope the right hon. Gentleman will consent to listen to me. As I have said, I have had some experience in this matter. I have been on a considerable number of inquiries, and I think my statement will be borne out by those who have done the same, when I say that in almost every instance where there has been an explosion in mines, oddly enough, the explosion took place concurrently with the firing of a shot. Therefore, I think there should have been a somewhat larger attempt on the part of the right hon. and learned Gentleman to, I will not say prohibit shot-firing, but to take some stringent measures to protect the colliers against themselves. There are other hon. Members, we are aware, who are competent to speak on these matters with greater weight than myself—there is the hon. Member for the Normanton Division of the West Riding of Yorkshire (Mr. Pickard), who has had large experience with reference to the mines of Yorkshire; but what I want to point out to the Home Secretary is this—that it is not by introducing a Bill which consists of nothing more than a few vague alterations of an Act of Parliament — [*Laughter.*] The right hon. and learned Gentleman laughs; but I should like him to point out—and I challenge him to point out to the House—any really distinct alteration which will be brought about by the Bill which will secure greater safety for the colliers. This Bill is preceded by a long homily, which declares its many virtues; but I am unable to find out, marked in it in plain language, any drastic alteration which has been made in the measure which is at present, undoubtedly, a very excellent code of law. I do hope that the right hon. and learned Gentleman will also give some consideration to the position of the check-weighmen, because I tell him—and I am sorry that the Front Bench opposite pays so little attention to this question—that, under the present Acts of Parliament, it is competent for an employer to get rid of a check-weighman who may make himself obnoxious on any question not at all connected with the working of the mine under the form "otherwise misconduct himself." The right hon. and learned Gentleman has not only retained that phrase, but he has made it more drastic than it was before. This, I think, is very curious. The Bill is one which has gone through various stages. [Mr. MATTHEWS dissented.] The right hon. and learned Gentleman shakes his head; but I think he will find my statement absolutely cor-

rect. I will not trouble the House to read the clause, but there is a new clause which certainly gives larger powers to the Justices than were given under the previous clause. I would also point out to the right hon. and learned Gentleman that this is a question which has very much agitated those who are employed in mines. The men feel that the check-weighmen should be in an absolutely independent position. They feel that the men should not be allowed to abuse their authority and interfere with the mine; but they certainly feel that they should be allowed to exercise all the rights that any ordinary workman would be allowed to enjoy, without having his peculiar position used as an instrument for the purpose of getting rid of him. I apologize to the House for the length of time I have occupied in the observations I have made. I have endeavoured to throw upon the question the light of candid criticism; and I do hope the right hon. and learned Gentleman will favourably consider the Amendments which will be brought forward in Committee on this Bill, and will endeavour to make the measure of substantial benefit to those for whom it is pretended that it is introduced.

MR. PICKARD (York, W.R., Normanton): I have no desire to prolong this discussion unduly; but it is only fair, from the position I occupy, that I should be allowed to say a few words upon this important subject. I am sorry the right hon. and learned Gentleman the Home Secretary did not allow any discussion to take place when the Bill was read a second time. If we had taken a debate on that occasion, it seems to me that it would have been much more reasonable than taking a second reading debate now, at 12 o'clock at night, on the Order to go into Committee. So far as I have been able to observe, it seems to me that there has been a feeling on the part of some hon. Members that they have been talking against time, and that it would be preferable to go home, in order to get ready for the Jubilee Service of to-morrow. So far as that is concerned, I feel thankful that we have so many hon. and right hon. Gentlemen on both sides of the House who are so desirous that we should have a Bill passed which will conduce to the safety of our miners, and prevent accidents in mines, that they are content that we should take the discussion under existing circumstances. With regard to the measure which is before us, I must say that, so far as I can see, there are very few improvements in it. It is all very well to say that it is an amending and consolidating Bill. In some respects it is; but, so far as I have been able to go through the Bill, I am prepared to contend that on some matters it is a retrograding Bill. So far as the check-weighmen are concerned, it is a retrograding Bill. We have been fighting for the men to have a proper legal right to be on the pit-mouth, to go into the weigh-box and see that the weight is accurately taken, and if anything happens which is wrong, to have a right to interfere and prevent the men from having their coal unfairly weighed. Well, according to the proposed provisions of this Bill, we find that the man who is appointed check-weigher, who is appointed by the workmen, when he gets into his place, this Bill actually says that he should not interfere with the workmen. I take it for granted, if this clause remains as it is now, that instead of having one check-weighman at each of our collieries, we should have several; and if we take the Bill as it stands, instead of a check-weighman having one employer of labour, he would have five or six. I do not know whether the right hon. and learned Gentleman has read carefully through the clauses affecting the check-weighmen; but he will find, if he does, that the men are to be allowed to employ a man in one section, and then, when he is employed, he may be ignored. A number of men will say, "We won't pay him," and then, when the particular check-weigher is only supported by a number of men which dwindles down to a minority, the majority can have a new check-weighman, and in this way confusion and turmoil may be brought about. The point we have to state to the House is this—we do not want our check-weighman to be placed on the pit-bank to unduly interfere with the working of the pit; we do not want him to interfere in any way with the working of the men; but we want his position to be defined, to be made clear, so that when he gets into the weigh-box he may be able to say whether or not the men who are weigh-

ing the coal are doing so fairly, whether or not the weighing machinery is right, and if it is wrong, that they may be able to insist upon its being put right. We want him not only to feel that he can act like that; but we want him when the men come out of the mine to be able to say to them that, so far as he is concerned and so far as he has seen, the weighing machine has been right all day. He should be able to say that he has no fault to find with the owners or their representatives on the opposite side of the beam, and he should have a right to say, if the machine had been tampered with during that day—"This machine has not registered fairly; it has been tampered with." And it is very possible for weighing machines to be tampered with. Some of them are made to weigh less to the men, and more to the masters, and this we can prove. At some collieries the machines are so screwed down that they will not weigh less than 7 cwt., and if a lb. less than 7 cwt. is put upon them the man whose coal is being weighed loses to that extent each time the machine is used. Machines are so arranged that they will not weigh more than 12 cwt., so that if the amount of coal put upon them is heavier no record is made of it, and the men in this case also lose all the weight over and above 12 cwt. The quantity of coal sent up at a time varies very materially —sometimes as much as 25 cwt., besides the tare, which would, perhaps, make the amount put upon the machine one ton and a-half. So far as we are concerned, we wish to be emphatic and clear on this point—we wish to declare that we desire our managers to have a right to manage a mine, but that we want the men whom we select to look after our interests to feel that they can do so without being subjected to intimidation by the managers. We have had several law cases in which complaint has been made of intimidation on the part of the owners, but we have been unsuccessful before the magistrates; and when we have taken our cases to higher Courts we have been treated in the same manner as we were previously by the magistrates, and that simply on account of certain provisions in the clauses of the existing Acts which tie us down to certain action. I would remind hon. Members that this is Her Majesty's Jubilee year, and that this is to be a Jubilee Mines Bill. I hope the right hon. and learned Gentleman the Home Secretary will, under these circumstances, take into consideration the Amendments we speak of. I should like this to be the year in which the women shall be taken away from our pit-brows. We do not ask that the present women shall be removed, but we do ask and we do appeal to this House to place our men's wives and their children in a higher position in the future than they are in now. Why should it be conceivable that a collier cannot go down a mine and work a day's work and earn a day's wage to keep his wife and family, without having to thrust his young children and his wife on or about the pit bank in order to eke out a living? I assure the right hon. and learned Gentleman the Home Secretary, though he may have been fascinated by what he heard and saw when the pit-brow women visited the Home Office, that those women were selected to come up to London. I am not going to spoil our nest in any way — those women are our kith and kin. I was glad to see those pit-brow girls, but I must say that in my opinion a selection was made, and the hon. Member for Wigan probably knows as much about that selection as anyone else. I am bound to say that, so far as our pit-brow women are concerned, their work is not all that can be desired. Some of them have to push 8-ton railway trucks about the pit mouths, and this is work of too laborious a nature for women to be called upon to perform. [*Interruption.*] I say that we have young girls and women who have to push 8-ton waggons about the pits, and large trains or tubs about the mouths of our pits. ["No, no!"] That is a fact, I say, and we can bring you proof of it from the collieries if necessary. I say this is work of too laborious a description for any woman to perform—it is far too heavy for them. We are told that about 7 lbs. is about all that the women have to lift; but if hon. Gentlemen who say that will go on to the pit banks in the Wigan district they will see the big tubs on which the women have to put their hands, which they have to put on the run and pass to the tipple up, and which they have to turn over, as we put it; hon. Gentlemen would then have a very different view of the matter from that which they seem to entertain at present.

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We say that this work altogether unsexes the women—we say that we want our pit women and girls to feel that they are women, and we do not want them to feel that they are exactly like the men by whom they are surrounded. We further say that this practice of employing women on the pit banks has a demoralizing effect upon the men. The practice induces husbands to push the women to work—in order that he may go to work himself? Not at all. While I will not say a word about the women, I have no hesitation in saying that, so far as the men are concerned, they push their wives to the pit-brow. They send their children to the pit-brow in order that they themselves may idle away their time for several days in the week, spending very often what those poor women and children earn in a way that I will not describe. I think it is the duty of any Government to do what it can to prevent such a state of things as that; but we have another argument with regard to this employment of female labour. We say it unfits the wife, not merely for wifely duties, but for motherly duties. Just imagine a woman who has four or five children sent to work to labour on the pit bank all day, perhaps with one or two of her daughters. What condition will she be in to attend to her wifely, motherly, and ordinary family duties? You tell us that this sort of thing does not degrade the women, and does not lower them in the eyes of their neighbours. We say and believe it does. But we say in Yorkshire, where we have got rid of these pit-brow women, with the exception of five, and the people in Durham, who have also got rid of them altogether, say that in our mining villages, where the women are at home attending to their housewife duties, we have happier communities than in those villages where the women are all the day away from home attending to the hard labour of the pit-brow, and neglecting their real duties as wives and mothers. We appeal to the Front Bench opposite, and we appeal to hon. Members on this side of the House, to stand by us in this matter; and though we do not want to put these women from the pit bank at the present time, we unhesitatingly ask the House to say that in future no more girls or women shall be allowed to take part in such arduous labour. We say that, so far as we are concerned, the pit-brow women you had up here were selected, and that the men who came up to speak on their behalf were also selected—selected, not by the working-men themselves, but by other parties interested. We have it on record—at any rate, one trades union sent us a letter on the point—that, so far as one particular individual was concerned, he had not been nominated, selected, or paid to attend here by the workmen. We have it clearly stated that the employers themselves interested in this class of labour found the amount to bring those people here. As we have heard it said, there was no doubt a deal of fascination, on the part of those people who came before you, in the idea of a trip to London. It was a trip, say what you will, and I have no hesitation in saying that I believe that the women who came freely and fully enjoyed what they came to see, and what they had to say. And I have no doubt that they were perfectly satisfied with the treatment they received at the hands of the Home Secretary. I thank the right hon. and learned Gentleman in their name for having received them so courteously; but, at the same time, I do not endorse what he said to them—namely, that he would not change the Bill, or the clause of the Bill, in regard to the labour that they are carrying on. I hope he will give further consideration to this matter after we have had the question more fully considered. Now, with regard to the question of the managers, I find, on looking up history, that those two individuals, the first manager and the second manager, were proposed a long time ago by Committees sitting in this House, and that until now the idea has been rejected. I thank the late Government for having introduced their Bill, and I thank the present Government for having brought forward this particular portion of this Bill. We believed that we should have no man standing between the owners of the colliery and the man who has to direct and control the inner workings of the colliery, especially when we know that that man has to protect the lives of so many people. We do not believe in a mine being managed by telegraph, or being managed by reports, or by a mining engineer living 60 or 70 miles away from a colliery; but we believe that by having first and second class certifi-

cated managers we shall have that supervision of the men which we ought to have. The first or second-class manager should go down the mine in the morning, and should continue to supervise that mine during the day, and should continue his supervision in that way during the week. And we hold that no agent of the colliery owner other than the first-class certificated manager should intervene in any matter affecting the management of the mine. We hold that no man should be allowed to interfere, and to say that the cost of production has to be considered, and that, therefore, such and such a thing cannot be allowed. There should be no tampering with safety allowed in our mines, and I feel certain that in this direction the Government intend to make their Bill as stringent for the managers as for the workmen. No one can find fault with the stringency of the general rules so far as the workmen are concerned; but I desire that the measure should be made equally stringent so far as the conduct of the managers is concerned in their attitude towards the workmen, in regard, for instance, to supplying what materials may be required for rendering the mines safe. I want the Government to adopt what a committee of workmen and owners have come to upon this matter; and if they endeavour to do so, I have no doubt that they will make an attempt to carry out what is wanted. Then, so far as public prosecution is concerned, the Preamble of the Bill tells us that we are on an equality with the owners and the managers of the mine. I should have liked the Home Secretary to explain that clause. If he does so in the way we would have him do, I think he will find it necessary to add something to it. I have myself an Amendment to move to that part of the Bill, and I trust he will consider it fairly and fully. We consider that if we, as workmen, have the right and power to prosecute managers for neglect, and those to whom managers delegate their authority, that will be one of the best things we can possibly have as a preventative against loss of life and limb. According to this clause, the matter is put in this form—that the owner, agent, and manager may be prosecuted for personal neglect. Now, just imagine the case of a colliery owner who lives 50 miles away from his mine; he never sees it; he does not go down it; he would not go down it under any circumstances. Then there is the agent; he never goes down it; but up to the present moment he has had upon his shoulders all the work of providing, controlling, and managing the mine. If the manager of the workings wanted what he considered a sufficient quantity of timber in the mine, the agent has had power to say—"No; that would increase the cost of production, and you cannot have it." We say that at the present moment we could not prosecute such a person for leaving the men in an unsafe condition, because it is impossible to prove personal neglect. Then those managers delegate their authority to under-managers, and if in the way I have described there is personal neglect on their part, in the same manner we are unable to punish them. The House will, therefore, see that we are powerless to punish either of the three principal offenders. What we want is this—we want it laid down in this Bill that if a first-class certificated manager delegates power to a second-class certificated manager, and if this second-class manager carries out his orders from day to day, that we shall be in a position to go into Court and prosecute those by whose neglect accidents are brought about; for it is neglect and nothing else which brings about all the serious accidents which occur from time to time in our mines. In order, however, that workmen may be in a position to do this, Clause 66 must be either amended or my Amendment must be adopted, which I trust the right hon. and learned Gentleman the Home Secretary will consider, and, if possible, adopt. I trust the right hon. and learned Gentleman the Home Secretary will look into this matter as to inspection. We have been told, time after time, that we, as working men, do not put the 30th General Rule into practice as we ought to do. I have stated, over and over again, that wherever we have done this the men who have gone down into the mine and examined according to this Rule and reported faithfully have generally been sent about their business either directly or indirectly, and have been unable to get work at any other

colliery within a good many miles of the place where they originally worked. The managers say to them—"You not only want to go and see the defects of the mine, but you want to manage it." When we consider the increased area of our mines, and the number of people working in them, I think the right hon. and learned Gentleman the Home Secretary will agree with me that if it was necessary some years ago to appoint half-a-dozen or a dozen persons to re-inspect our mines, and it is necessary to repeat that inspection now, it is desirable that we should have practical men, from our mines, who are prepared to pass an examination, and stand the test to which it may be necessary to subject them as Inspectors. We have been told that, so far as inspection is concerned, workmen have been appointed to do the work. Well, applications have been made by workmen, but they have not even been called up to the Home Office or to the Board of Trade, although fitted by practical and theoretical knowledge to perform the necessary duties. They have never been asked as yet even to come up to London or anywhere else to be examined as to their fitness for this office. Therefore, we must place upon record that up to the present time no practical workman has been appointed an Inspector of Mines. I trust the right hon. and learned Gentleman the Home Secretary will examine into this matter, and ascertain whether any workmen are qualified by practical and theoretical knowledge to undertake these duties; if he finds that they are, let him give them a chance of being placed in those positions. There is just one other point I would refer to, and that is the question of arbitration. We consider, so far as we miners are concerned, that in all matters affecting the safety of life and limb in our collieries, the workmen being the greatest losers when accidents occur, that their representatives should form a portion of the Arbitration Court. The Court now exists in this way. The owners have a portion, the managers have a portion, and the Home Office has a portion; but the workmen themselves have nothing at all to do with it, though they really are the parties most affected. I trust the Home Secretary will give this matter consideration. I thank the House for allowing me to make these observations, and I apologize for having detained it for so long.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): It is a source of satisfaction to the Government that so large a portion of the criticism on this Bill has been directed so largely to the procedure with which it was introduced, and to Amendments which, with few exceptions, hon. Members do not seem to think worth while placing on the Paper, and so little to the special protection which it is proposed to give to those engaged in mines by this Bill. The hon. Member for West Nottingham (Mr. Broadhurst) has been at some pains to explain the extraordinary position he takes up with regard to the employment of women at collieries; and, of course, it was his business to show how and why he has taken up that position, seeing that he himself last year backed and supported a Bill which made no attempt to stop that employment of women which he now condemns. It was, no doubt, necessary for him to explain that his position as Under Secretary was a difficult one, and that he could not get all he wished. I thank my good fortune that I have not yet been placed in a position so humiliating as to put my name on the back of a Bill the most important provision of which I disapprove of. I am glad, so far as the position of the hon. Member for West Nottingham and the position of the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) are concerned, that their Bill did not come up for discussion and criticism last year. Their Bill last year did not provide for the stoppage of the practice of women working at the pit's mouth, neither did it do much to put the check-weighmen in any better position than this Bill does. Their Bill did not do many of the things which hon. Gentlemen have to-night demanded shall be done. But, looking at the facts of the case, and taking one consideration with another, we are, I think, entitled to say that we have introduced a Bill which holds the balance fairly and reasonably between opposing interests in this matter. It is impossible at this hour that I should go fully into the details of the Bill; but I am

bound to say that if we are to be blamed for the manner in which we have introduced the Bill, and if it is to be made a matter of debate, it will be our business to ask ourselves where we shall find in the history of this matter any one single occasion on which anyone upon the other side of the House has done anything either by speech or by action which has tended to advance the progress of this measure. The second reading was taken under circumstances which fully entitled us to believe that that stage was assented to by hon. Members opposite. Three hon. Members whose opinions are entitled to consideration upon this matter assented to the second reading, or led us to believe that they did so, by removing their blocks.

MR. ARTHUR O'CONNOR (Donegal, E.): I did not assent to the second reading.

MR. STUART-WORTLEY: The hon. Member was not one of the three.

MR. ARTHUR O'CONNOR: But I told the hon. Member that I spoke for them.

MR. STUART-WORTLEY: As to the views of those three hon. Members, my opinion differed from that of the hon. Member at the time, and it does so still. The second reading was blocked. The block was removed, and the Bill was taken at a time when a single dissentient voice would have stopped its progress. It was taken by the Government, believing that the block had been removed owing to the opposition being withdrawn. We are told that it was taken at a time when the Representatives of the miners were not here, but were obliged to be elsewhere. Well, I should have thought that the place in which those Gentlemen were obliged to be on such an occasion as that was this House. ["Oh, oh!"] I hear the hon. Member for North-West Durham (Mr. Atherley-Jones) indulging in interjections. I am glad the hon. Member has come back, because I shall now have an opportunity of reminding him of the extremely sketchy reading which he has given to that clause dealing with check-weighmen. It may be that we have not in this Bill condemned the most imperfect form of safety lamps; but I hope we shall not be tempted to do more than lay down in very general terms the conditions which lamps are to satisfy, and leave the varying circumstances of different mines to be provided for by special rules. If it be right that additional Inspectors should be appointed, let them be appointed; but it will be our constant endeavour to resist any Amendments that tend to throw on Public Departments the responsibility of managing mines, and to diminish the responsibility of mine owners and managers. Lastly, I would say it is a significant thing that opposition to the employment of women does not come from that part of the country where a large number of women are employed, but from that part of the country where women are very little employed in mines. We intend to take the judgment of the House upon that point. We believe we have the support of the great body of the women who are employed in colliery work, of those amongst whom they live, and of those who employ them; and we shall, therefore, challenge any attempt which is made to alter the Bill as far as these people are concerned.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Donald Crawford.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I hope the hon. Member will not persist in his Motion. It is of the utmost importance that progress should be made with this Bill. The hon. Member must be aware that there is an understanding that Mr. Speaker shall be got out of the Chair to-night, and that, if his Motion is successful, and there is another discussion before the Bill gets into Committee, its progress in Committee will be very materially interfered with.

MR. ILLINGWORTH (Bradford, W.): I do not think that the Government can reasonably object to this proposal. I can well understand that the Leader of the House feels that a great part of the Session has already elapsed, and that if there is to be any further legislation it should be pushed on by this House without undue consideration. Now, I would rather see delay in regard to the progress of measures so important as this than that we should have anything like slipshod legislation, which will no

be satisfactory, and which will throw back upon Parliament the duty of amending the Bill at some future time. I protest against hurrying through a Bill of this description. There is such a thing as spending all one's resources upon luxuries until there is little left for necessaries. That, I am afraid, has been the course followed by Her Majesty's Government this Session. They have spent five months upon a particular Bill—a measure which, so far as they are concerned, may be regarded as a luxury—and now when this measure of first-class importance, this very necessary Bill is before us, they think it becoming to endeavour to rush it through the House almost without debate. I assume the Government themselves think this a measure of importance, otherwise they would not have given it the preferential position it occupies as a Government Bill. I consider, further, that an additional reason why there should be an adjournment is to be found in the manner in which the Government have treated the measure. It cannot be denied that this Bill affects the interests of 500,000 of our working class population, and, scarcely second to that, that it affects the prosperity of one of the greatest of our national enterprizes. Can it be assumed that a discussion commenced at 10 o'clock at night and terminating at half-past 12 is sufficient to enlighten the House or to give the country an opportunity of knowing the bearings of such a question? I do not think that hurrying the matter through, as the hon. Member (Mr. Stuart-Wortley) proposes, can be considered satisfactory either by the House or the country at large; and I venture to think that if the right hon. Gentleman the First Lord of the Treasury were to agree to the postponement now proposed, it would tend, not to delay the carrying of the Bill, but to facilitate its subsequent stages. If we are not nearer agreed than we appear to be upon many of the leading features of the Bill, it is clear that considerable discussion will take place in Committee—discussion which the right hon. Gentleman seeks to suppress at this stage.

MR. PAULTON (Durham, Bishop Auckland): On behalf of one mining constituency I protest, as strongly as I can, not only of the action on the part the Government, but also on the part of hon. Members on the other side who wish to stop discussion upon this Bill. We consider the measure of vital importance, and though I do not for a moment mean to suggest that the House has suffered any very great loss in consequence of my not having succeeded in speaking, nevertheless it is quite evident to me that there is still a great deal to be said upon this measure. Many of those hon. Members who are most interested in this measure have not yet had an opportunity of expressing their opinion; and, therefore, I do hope most sincerely that the Government will feel that by giving us further opportunity for discussion they will not be wasting time, but, on the contrary, will be really saving it. For my own part, I feel that it is impossible that the Government can accuse us of any desire to obstruct the Business of the House by desiring a full discussion on this matter which we have so deeply at heart. We prefer that the Bill should be adequately considered. Speaking for myself, I would rather have this Bill fairly discussed and considered than any other measure which the Government can point out. It is idle to say that a measure which we really have at heart is likely to be used by us for purposes of obstruction; but we do contend that this Bill should not be passed without full and fair discussion. I do not believe for a moment that the right hon. and learned Gentleman the Home Secretary wishes that the Bill should be passed without full and free discussion; but I would respectfully represent to him that the progress of the Bill will really be facilitated if we elaborate the general principles of the measure before we go into Committee. I have nothing further to add, except to express my hope that the Government will reconsider their determination, and allow us to have a further brief period on the Motion for going into Committee. I do not think that anyone desires that such discussion should continue for a long period; but I trust they will grant an adjournment in order that hon. Members who desire to speak may have an opportunity of doing so.

MR. BRADLAUGH (Northampton): I would venture to join in this appeal to Her Majesty's Government, and to point out that no one can allege that the debate to-night has been of an obstructive kind.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I rise to say, on behalf of Her Majesty's Government, that we will not resist this Motion. I will only say one word, and it is that one or two hon. Members, to my great regret, have thrown in our faces this evening the taunt that we are all desirous of suppressing discussion upon this Bill. That I repudiate most absolutely. The second reading of the Bill was originally objected to by hon. Gentlemen opposite. I had a private conversation with several of them on the subject, and endeavoured to convince them that a second reading discussion would be a waste of time—that as business men we had better go to the clauses, and settle the principles of the measure as they arose in that form. After this conversation the block was withdrawn, and the Bill came on for second reading on a Wednesday afternoon. I, of course, assumed, after the conversation I have referred to, that the block had not been accidentally but purposely withdrawn, and that hon. Members were ready to let the second reading go without discussion. When we were informed by hon. Members that they did desire a second reading discussion, we made arrangements that they should take it to-night on the Motion for going into Committee. We thought that a couple of hours would probably be enough for that discussion; and though I have heard some valuable speeches, and although some valuable suggestions have been made, which I shall certainly very carefully consider, I must say it seems to me that every speech which has been delivered has been one which could have been made on one clause or other of the Bill—has been, practically speaking, a Committee speech. We desire that all possible progress should be made with this Bill; but, as I say, under the circumstances we have decided to assent to the Motion for Adjournment.

MR. HALDANE (Haddington): There seems to be a desire that we should finish the discussion on which we are now engaged before going into Committee; but I would point out that this is a Bill consisting of a series of isolated clauses, each of which involves a principle in itself, and if we may understand, as I am sure we may, that some latitude will be allowed in discussing the principle on which the clauses rest, then I am satisfied that much the best form in which we can discuss the Bill will be in Committee. No doubt, the debate to-night is one in which many of us would like to have spoken, because not only does this Bill affect a large industry and a large amount of people, but it raises some of the gravest economical questions which it is possible to raise in this House in reference to the employment of women and the relations existing between working men and their employers. It is evident that we shall not only have to consider the Bill on its own merits; but that we shall have to consider it in the light of the precedents it may set for future consideration. I would appeal to hon. Gentlemen to allow us to go into Committee as soon as possible, so that we may make progress towards the next stage of the measure.

Question put, and *agreed to.*

Debate *adjourned* till *Wednesday.*

NATIONAL DEBT AND LOCAL LOANS BILL—[BILL 266.]

(*Mr. Chancellor of the Exchequer, Mr. Jackson.*)

COMMITTEE. [*Progress 17th June.*]

Bill *considered* in Committee.

(In the Committee.)

DR. TANNER (Cork, Co. Mid): At this hour of the evening, when a large number of hon. Members have gone away, I think it is only right to protest against our proceeding further with this Bill. A number of hon. Members who have just left the House would, I am sure, like to speak upon the Bill at this stage. I would respectfully appeal to right hon. Gentlemen opposite that they will not go on with the measure at the present time. I know that a number of hon. Members are anxious to get away. When the Government agreed to report Progress upon the Bill which was last under discussion, of course we all knew that it was in consequence of to-morrow's business, and not out of consideration for hon. Members on this side of the House. If the Government will not agree to postpone this Bill, I shall, unfortunately, have to move to report Progress.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I do not know whether the hon. Gentleman was present the other evening when the Bill came on; but if he were not, I can assure him that

there is no opposition to it whatever. It came on at a reasonable hour; no Notices of Amendment were given in; no hon. Member rose to speak on it, and we simply stopped at a particular stage, because we came to a money clause which required to be put off until to-day. The Bill would have passed the stage but for this technical matter.

DR. TANNER: I should like to assure the right hon. Gentleman that he is labouring under a complete delusion. I was asked to put down a block against this Bill by a friend of mine sitting on this side of the House who laboured under the impression—the erroneous impression—that a block would prevent the Bill being proceeded with. As the hon. Member is not in his place, I would respectfully appeal to the Chancellor of the Exchequer to fix another evening for the consideration of the Bill. If he does not do this, I shall move to report Progress.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): If the hon. Gentleman had been cognizant of the position of this Bill, and had referred to his diary, he would see that Progress has already been made.

DR. TANNER: This Bill has always come on at an extremely late hour. Usually it has come on at a later hour than this, and the consequence has been that hon. Members who have been opposing it have not been in their places, under the belief, I suppose, that it would not come on.

Remaining clause *agreed to.*

Bill *reported;* as amended, to be *considered* upon *Wednesday.*

MOTION.

CELEBRATION OF THE JUBILEE YEAR OF HER NAJESTY'S REIGN — THE BANK HOLIDAY—ADJOURNMENT OF THE HOUSE.

Motion made, and Question proposed, "That this House will, at the rising of the House this day, adjourn until Wednesday."—(*Mr. W. H. Smith.*)

SIR WILFRID LAWSON (Cumberland, Cockermouth): I am very sorry to be obliged to detain the House on this Motion at this hour of the night; but I do wish to make allusion to the nature of the proceedings which have given rise to this adjournment until Wednesday. As the House is aware, one object of its adjournment is that we may be present to-morrow at Westminster Abbey to take part in a religious service. That, I have no doubt, is very proper; but what has the Home Secretary done? He has also made arrangements for the night. He has arranged that after the religious ceremony is over the public may have the public-houses open and go in and drink an hour and a-half longer than is usual. I say that that is a proceeding most uncalled-for and most undesirable, and I should like the right hon. and learned Gentleman the Home Secretary to state, when he gets up to reply to me, whether any human being in this country has asked him to make this arrangement, except the Chairman and the Secretary of the Licensed Victuallers' Protection Society, who had an interview with himself and the Chief Commissioner of Police the other day? It was stated in the licensed victuallers' organ that that interview had taken place. Now, as I see the hon. and learned Gentleman the Attorney General in his place opposite, I should like to ask him to say whether this arrangement that the Home Secretary has made is not absolutely and entirely illegal? I challenge him to say whether that is not the case? If you read the Act of Parliament, you will find that it says that before an extension of licence is granted, every individual who wants it must apply for it, and that there is no power given to anyone to give a wholesale leave to 15,000 licensed victuallers to keep open their premises beyond the usual hour for closing. Whether the action of the Home Secretary is legal or illegal for giving the permission to keep open the public-houses, the Government, at all events, are responsible. I would point out that in America on the most exciting day of the whole year—that is to say, when the Presidential election occurs—a day which only happens once in 4 years—what do they do? Why, they shut up the public-houses over that day, and the consequence is that everything goes on in a most orderly and proper manner. But here, during the most exciting day that we have had for a long time, what does the Home Secretary do? Why, he does not order the public-houses to be closed, but he actually gives them permission to remain open an hour and a-half longer than

usual; and in that way, I maintain, he has done all he can to maximize the chances of disorder and danger, and to minimize the chances of everything going on satisfactorily. I say again, we shall hold him and the Police Commissioner responsible for any danger or disorder which may arise from this disorderly proceeding. I do hope that the right hon. and learned Gentleman will turn this matter over in his mind if it is not too late, and will issue an order in the morning to the effect that this extraordinary step is not to be taken. I would urge him most earnestly to reconsider his decision.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): The hon. Baronet (Sir Wilfrid Lawson) is, not for the first time, inaccurate in his facts. Personally, I have had nothing whatever to do with this matter.

SIR WILFRID LAWSON: The right hon. and learned Gentleman will allow me to say that I gave my authority for the statement.

MR. MATTHEWS: The paragraph is misleading. I have never heard of the communications which seem to have been made by the police to the representatives of the licensed victuallers until just before Question time to-day. It appears that over 7,000 applications were made to the Chief Commissioner of Police, who, as I have stated, is the Local Authority in this matter, and there absolutely was not time physically to write out the large number of occasional licences applied for. Considering that there will be a large number of people about the streets of London to-morrow night, that there will be many people who have come from the country and who will be far distant from their homes, and who will probably require refreshment—moderate, I hope—in the way of drink and food, it would be a considerable inconvenience if the public-houses were closed. The number of occasional licences applied for was so great that the Chief Commissioner of Police, who has work enough of another sort on his hands at the present time, was physically unable to deal with them in the manner prescribed by Statute; and, therefore, what he did was to tell the publicans that, so far as the police are concerned, they will not be directed by him to prosecute those who keep their houses open until 2 o'clock, which is an hour and a-half beyond the hour to which licences usually extend. It is not for me to interpret the law; but I think the hon. Baronet is quite right in saying that the police authorization is totally inoperative. Of course, the Chief Commissioner would be in honour bound, having made this statement to the publicans, not to prosecute them himself if they keep open their houses till 2 o'clock on Wednesday morning. Undoubtedly his action is not authorized in law. Perhaps the hon. Baronet may himself see his way to prosecute the publicans who keep open; but, as a matter of fact, I trust the hon. Baronet will see that no great harm will be done by the extension of the hours suggested.

SIR WILFRID LAWSON: Perhaps you will allow me, Mr. Speaker, to explain that I did not make the statement on my own authority. My authority for the statement is the licensed victuallers' own paper, which I thought was the best authority I could have on this subject. In the last issue of *The Licensed Victuallers' Gazette* it is categorically stated that a Mr. Bishop, Chairman, and Mr. Norfolk, Secretary of the Licensed Victuallers' Association of London, had an interview with the authorities of the Home Office and Scotland Yard in reference to the closing of licensed houses on the night of the Jubilee Celebration, and the result of the interview was that notice would be issued by the Chief Commissioner of Police granting an extension of the hours until 2 o'clock on the morning of Wednesday, 22nd June. That is my authority, and I am very sorry if I have been misled.

MR. J. BRYN ROBERTS (Carnarvon, Eifion): The Home Secretary (Mr. Matthews) has excused the conduct of the police on the ground that there will be a vast number of people from the country to-morrow night, who will not be able to return home to-morrow night. Now, I think that if there will be anyone from the country who will not return home, it will be owing to the fact that the public-houses have been open too long. The Home Secretary also hinted that the conduct of the police is wrong in giving permission to the publicans to keep open until 2 o'clock on Wednesday morning. And then he made a very extraordinary state-

ment—that the police will be in honour bound not to prosecute. I do not know whether they will be bound in honour not to prosecute, but I submit that they will be bound in duty to prosecute for any infringement of the law. It certainly is not proper for the Police Authorities to encourage a breach of the law under the promise that they will not punish for that breach.

MR. EDWARD HARRINGTON (Kerry, W.): Mr. Speaker, I do not feel very strongly on this point one way or the other. I really believe that if there are people about the streets to-morrow night who require refreshment, it is only natural and reasonable that they should have the opportunity of getting it. I respect the prejudices and opinions of the hon. Baronet (Sir Wilfrid Lawson); but, at the same time, I think that if the people require facilities for obtaining refreshment, those facilities ought to be afforded. I must remark, however, that it is not right that the Home Secretary should leave this matter in the manner he appears to have left it. I do not use the word offensively, but it appears to me that he has unworthily shifted the responsibility in this matter to the Police Authorities. It is easy to smile —[*laughter*]—as the right hon. and learned Gentleman now does; but I think he might have stated whether the Home Office are responsible in the sense in which the responsibility has been represented to the House by the paragraph quoted. I entirely agree with the hon. Gentleman (Mr. J. Bryn Roberts) that there is either a legal responsibility or there is not. Such a thing as an honourable understanding on the part of the police that they will not prosecute in this case, and that they will in another, is a dangerous precedent for this House to set. We ought always to look upon the Executive Authorities of this country as merely the servants of the Legislature, charged with the carrying out of its will, which will is expressed in Acts of Parliament. While I must must say, however, in the presence of the hon. Baronet (Sir Wilfrid Lawson), with whom I sympathize on a great many points, and whose sympathy with a great many objects I have dearly at heart I cordially recognize, I am inclined to believe that the thousands and millions of people who will be about the streets to-morrow night should have facilities of refreshing themselves afforded; but I think these facilities should have been found in the ordinary way—namely, by Acts of Parliament. The right hon. and learned Gentleman the Home Secretary seemed to hint, parenthetically, that it is within the power of the hon. Baronet, or of any individual member of the community who wishes to see the law strictly enforced, to proceed against any publican who violates the law by keeping open after the hour his licence allows him to. It is, no doubt, quite within the province of any temperance advocate, or anyone else who wishes to see the law respected, to prosecute the publicans for keeping open after hours; but is it equally within the province of any individual to proceed against the police for violating their duty? I do not advocate such a course; but, at the same time, I think that the sort of Paddy-go-easy manner in which the Home Secretary has approached this subject is anything but creditable to him in his official capacity.

MR. T. E. ELLIS (Merionethshire): I shall not detain the House very long; but as the question of the administration of the law as it stands, good or bad, has, of late, come into great prominence in cases in which the Irish tenants or the Welsh tithepayers are concerned, I wish to say a word or two. In the two cases I have mentioned we have heard Minister after Minister declare that the first duty of every Ministry is to administer the law as it stands; why, then, should a difference be created between those who defend their homes, and the publicans who wish to make a financial profit out of the Jubilee Celebrations? If a hard and cruel law is to be administered in Ireland or in Wales, I say the law ought to be administered in this country; and it is useless for the Home Secretary to throw the onus of carrying out the law on the hon. Baronet (Sir Wilfrid Lawson), or other temperance reformers. The duty of carrying out the law rests upon the Executive, and not upon temperance Baronets or anyone else. If the law is to be administered in this year of Jubilee in Ireland and Wales, it certainly should be carried out here in London by the regular officers of the law.

MR. ILLINGWORTH (Bradford, W.): I should like to ask the Home Secretary (Mr. Matthews) whether he has intimated his opinion to the Chief

Commissioner of Police as to the very extraordinary and illegal course he seems to have taken? I do not know whether the Home Secretary might not override what the Chief Commissioner has done; but I should like to point out that if the Chief Commissioner of Police has the power to grant an extension of time during which public-houses shall be open to-morrow night until 2 o'clock, he may grant an extension until 4 o'clock. I should like to remind the Government of its inconsistency in this matter. [*Cries of* "Divide!"] I hope, Mr. Speaker, we shall divide when the matter has been so cleared up that the danger and doubt which now exists in the minds of many of us has been removed. Now, as I understand the Government, they say it is not part of their duty to consider whether the law is a bad one or not; but it is their duty to carry out the law as they find it. The right hon. and learned Gentleman seems to me to have glossed over the inconsistency shown by the Chief Commissioner of Police, and I think the House is entitled to express a strong opinion upon this marvellous step. I admit that on this special day the people will need refreshment; but I consider that every opportunity will be given to people to refresh themselves if the houses are kept open until half-past 12 o'clock. It appears to me that it was clearly the duty of the Chief Commissioner of Police, when this demand was sprung upon him at the last moment on behalf of an interested class and not at the call of the public, to have said—"No; you have driven off the matter to the last moment; you have precluded me from taking the thing into consideration." He ought to have given as positive an answer as was ever given by an administrator of the law to any applicant—namely, "Your application has come too late, and cannot be considered." For the Chief Commissioner, however, to say he will wink at what the publicans do to-morrow night appears to me most extraordinary. I do not hesitate to agree with the hon. Baronet (Sir Wilfrid Lawson) that danger may arise, and that the responsibility cannot be shifted from the shoulders of Her Majesty's Government.

MR. CONWAY (Leitrim, N.): It is not at all unlikely that the precedent which is being set in London will be followed in the country. London is already astir, and it is quite possible that there will be many men with headaches and trembling limbs for the rest of the week. I heard a working man declare that it was most abominable that public-houses should be kept open until 2 o'clock, and that in consequence he and his fellows would be unable to work on the Wednesday, or even on the following day. [*Laughter.*] Yes; he said he was addicted to drink; that he would, no doubt, take drink on Tuesday; that his nerves would be upset; and that, in consequence, he would be unable to work. We know that it is not only the men who will be tempted to drink by these increased facilities who will suffer, but their wives and families. This is merely throwing a temptation in the way; and the consequence will be that the Jubilee Celebration will be one of intense suffering, in my opinion, to a great many people.

MR. M'CARTAN (Down, S.): I do not rise to complain of the arrangements made for the accommodation and convenience of the masses at the Jubilee Celebration—I look upon it as an entirely English festival—but I complain of this, that pressure within the law should be brought upon the head of the police in London to prevent him prosecuting persons openly violating the law in England; whereas in Ireland, where the people are fighting, as at Bodyke, for their homes, liberties, and lives, no such pressure should be brought to bear on the Irish Government, but that the people should be left to the tender mercies of Dublin Castle and the magistrates. I also complain that while here the law is to be grossly violated, according to the dictum of the Home Secretary, in Ireland, when National League meetings are held with the object of obtaining a redress of grievances, landlords should be empowered to issue orders closing the public-houses, without any regard to the convenience of the people who come from a distance to attend the meetings. Public-houses are the only places where the people can get refreshments, and yet in Ireland these places are very often closed at the dictum of local landlords at times of great popular gatherings. What has just happened affords a striking example of the dissimilarity of the laws of the two countries.

DR. TANNER (Cork Co., Mid): Really, Sir, I cannot help wondering that the Representatives of the Govern-

ment at present on the Treasury Bench should sit there without giving an answer to the remonstrances which have been addressed to them from hon. Members on this side of the House. The hon. Baronet (Sir Wilfrid Lawson) put the case very clearly; and what did the right hon. and learned Gentleman the Home Secretary say in reply? He told us that he will throw the onus of instituting prosecutions in these cases upon the hon. Baronet, or upon any gentleman who happens to be connected with the various temperance associations. Is that the proper way in which to answer questions as to the right administration of the law? On the contrary, I think we have a right to expect fairer argument from hon. Gentlemen opposite. We know perfectly well that the example set in London will not be followed out, as my hon. Friend has said, in the country. It is, no doubt, as a bid to the wine and spirit vendors in the City of London. Is it a bid for votes? Of course, we know that the Conservative Party have always been allied to the publicans and sinners, and I dare say this is simply intended as another sop to Cerberus. But I contend that the right hon. and learned Gentleman the Home Secretary is making a great mistake in permitting the public-houses of London to be kept open till 2 o'clock on Wednesday morning. What does it mean? There will be Jubilee illuminations to-morrow evening, and some of these illuminations will be continued until a late hour. That may or may not be the case; but I should rather imagine that the major portion of the illuminations will be extinguished long before 2 o'clock, and the consequence is that the people, instead of walking about the streets, will very reasonably and properly go home to their beds. Accordingly, I do not see that there is any use in extending the hour to so late as 2 o'clock. Perhaps the right hon. and learned Gentleman is open to a compromise; perhaps he might agree to the closing of the houses at 1 o'clock; that would allow them to keep open half-an-hour longer than usual. Gentlemen who come from the country, like myself—[*laughter*]—yes; we in Ireland are accustomed to see all public-houses closed at 11 o'clock, and when we come to London and see all the public-houses and restaurants kept open till half-past 12, we are amazed. I sincerely hope that the Home Secretary will agree to a compromise in this matter, and therefore allow us at once to go home to bed. The right hon. and learned Gentleman really ought to remember that many hon. Members have a very hard day's work before them to-morrow. I do not think it is wise that a temptation should be put in the way of men to remain up to-morrow night until 2 o'clock, and to go home with aching heads and trembling limbs, and altogether in such a condition as to render them thoroughly unable to go about the following day's work. It is really out of consideration to the working classes that I make this proposal. I maintain that the position of the Ministry is a most untenable one, and I sincerely hope that a Division may be taken on this point, in order to show that there is an honest and solid remonstrance against what cannot be deemed otherwise than an act of iniquity.

Question put, and *agreed to*.

ORDER OF THE DAY.

—o—

ALLOTMENTS AND COTTAGE GARDENS COMPENSATION BILL.

(*Sir Edward Birkbeck, Mr. Finch-Hatton, Sir Henry Selwin-Ibbetson, Mr. Gurdon, Viscount Curzon, Sir Savile Crossley, Mr. Norton.*)

[BILL 167.] COMMITTEE.

Order for Committee read.

Motion made, and Question put, "That Mr. Speaker do now leave the Chair."

The House *divided*:—Ayes 90; Noes 4: Majority 86.—(Div. List, No. 252.)

[1.40 A.M.]

Bill *considered* in Committee; Committee report Progress; to sit again upon *Thursday* 30th June.

PUBLIC WORSHIP FACILITIES BILL.

On Motion of Mr. Salt, Bill to provide facilities for the performance of Public Worship according to the Rites and Ceremonies of the Church of England, *ordered* to be brought in by Mr. Salt, Baron Dimsdale, Mr. Morrison, and Mr. Whitmore.

Bill *presented*, and read the first time. [Bill 292.]

RETURNING OFFICERS' EXPENSES BILL.

On Motion of Mr. Stansfeld, Bill to provide for the payment of Expenses to be incurred by Returning Officers at Parliamentary Elections out of local rates, *ordered* to be brought in

Mr. Stansfeld, Mr. John Morley, Mr. Broadhurst, and Mr. Picton.

Bill *presented*, and read the first time. [Bill 293.]

House adjourned at a quarter before Two o'clock till Wednesday.

HOUSE OF COMMONS,

Wednesday, 22nd June, 1887.

MINUTES.] — PUBLIC BILLS—*Ordered*—*First Reading*—Elementary Education Acts Amendment * [295].

Committee—Coal Mines, &c. Regulation [130] [*First Night.*]—R.P.

PROVISIONAL ORDER BILLS—*Second Reading*—Public Health (Scotland) (Cowdenbeath Water) * [289]; Public Health (Scotland) (Duntocher and Dalmuir Water * [288].

Considered as amended—Tramways (No. 2) * [271].

Third Reading—Gas and Water * [248], and *passed.*

MR. SPEAKER'S ABSENCE.

In compliance with the Special Order of the House of Monday last, Mr. Courtney, the Chairman of Ways and Means, in the absence of Mr. Speaker at Oxford, took the Chair as Deputy Speaker, pursuant to the Standing Order.

MOTIONS.

MANCHESTER SHIP CANAL BILL.

Ordered, That the Minutes of the Evidence taken before the Committee on the Manchester Ship Canal Bill, 1883, and the Manchester Ship Canal Bill, 1884, and the Manchester Ship Canal Bill, 1885, and the Manchester Ship Canal Bill, 1886, be referred to the Committee on the Manchester Ship Canal Bill.—(*Sir Charles Forster.*)

ORDERS OF THE DAY.

Motion made, and Question proposed,

"That the Coal Mines, &c. Regulation Bill have precedence this day of the other Orders of the Day."—(*Mr. W. H. Smith.*)

MR. BROADHURST (Nottingham, W.) inquired of the right hon. Gentleman when he would take the Committee stage of the Bill after that day?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that he was not then in a position to state, as it would depend very much upon the progress made with the measure that day.

SIR JOSEPH PEASE (Durham, Barnard Castle) observed, that it would be for the convenience of the House that the right hon. Gentleman should name a day for resuming the discussion of the Bill on the close of Business that day.

MR. W. H. SMITH said, he would take the course most conducive to the progress of the measure, and in the course of the day would endeavour to make a statement on the subject; at present it was impossible for him to say more.

MR. F. S. POWELL (Wigan) remarked that in 1872 a day was given to each stage of the Coal Mines Bill. It was desirable to avoid taking the discussion in fragments.

Motion *agreed to.*

ORDER OF THE DAY.

COAL MINES, &c. REGULATION BILL.—[BILL 130.]

(*Mr. Secretary Matthews, Mr. Stuart-Wortley.*)

COMMITTEE. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question (20th June), "That Mr. Speaker do now leave the Chair" (for Committee on the Bill).

Question again proposed.

Debate *resumed.*

MR. D. CRAWFORD (Lanark, N.E.) said, that although he was anxious, along with other Members, to say a few words on this subject, he would readily have foregone his own claim to take part in the discussion, if he had thought that the points dwelt upon by hon. Members on the Opposition side of the House had been fully appreciated by the Government, or if the Under Secretary of State for the Home Department (Mr. Stuart-Wortley) had not imparted an unnecessarily controversial tone to the discussion. In particular, the Under Secretary of State for the Home Department had taken no notice of the important remarks made by the hon. Member for Normanton (Mr. Pickard) on the subject of weighing. For his part, he had no desire to give a political complexion to the discussion at all. The hon. Member for Wigan (Mr. F. S. Powell), in the course of his fair and moderate speech, said that he did not think that Liberals were entitled to have a mono-

poly of legislation for the beneficent purpose of saving life. He was sure Liberals would gladly welcome competition from the Conservative Party in any such object. He had no desire to undervalue the legislation the Conservative Party had already introduced in this direction, though he thought it would not be difficult to show that the Liberal Party had actually led the van in all legislation for the benefit of the labouring classes; and he made this remark now not for the sake of alluding to what had been done in the past, but in the hope that it might affect the deliberations of the Government in disposing of the Bill. He thought the reason why the Conservative Party had fallen short of the Liberal Party was this—that although there were many large employers of labour and capitalists amongst the Conservative Party who took a liberal and enlightened view of their relations towards their workmen, and believed a liberal and enlightened policy would serve their interests best, there were, he was afraid, others who took a less wise and enlightened view, and he thought the history of past legislation would show that the latter class had too often the ear of the Government and prevented them from approaching the problem of the relations between employer and employed in a really frank and thorough spirit, and determining to go to the root of these questions and do justice fairly between man and man. The hon. Member for Wigan described the Bill as an effort for the better protection of life. It was perfectly true the preservation of human life was probably the leading motive both of the existing Mines Regulation Act and the Bill the Government had laid before the House; but he would remind the House that was not the sole object of the Bill, and that there were other questions of great importance to which it was extremely desirable attention should be given. Even if they limited their attention to the object of the saving of life, he thought the Government would do well at this stage to give heed to some of the remarks of Members acquainted with the question before coming to a final conclusion as to the shape the Bill was to assume. One of these questions was the age and the hours boys were to labour. If this question were fully considered, he believed the Home Secretary would come to the conclusion that the Amendments on the Paper for the shortening of the hours of labour for boys and the limitation as to the age of boys were necessary ones. Another point to which he would ask attention was the subject of inspection, which was not now an open one, as the State had already assumed the responsibility of inspecting mines. The point, therefore, was whether the inspection was satisfactory and efficient, because, if it were not, it was worse than no inspection at all. He referred to this question in no carping spirit, because he was aware of the difficulties with which it was surrounded, and particularly that of expense; but he would ask the Government to consider what the object of the statutory inspection was intended to be? Was it merely intended to be an investigation after an accident happened such as was made in Scotland by officers of the law, whose duty it was to make such inquiry, or was it intended as a preventative? Were the Inspectors expected to see beforehand that the mine was in a satisfactory state, and complied with the regulations and provisions of the Act of Parliament? If the latter was the view the Government took, he made bold to say it was not carried out at the present moment, and it was, therefore, desirable that further provision should be made for its being done. He could say with confidence there were many mines that were practically never inspected. He said so without casting any imputation or reflection upon the Inspectors themselves; they were capable men and anxious to do their duty; but it was simply impossible for them to inspect the number of mines they had in their districts. It would be interesting to know, in regard to the accidents that happened recently in Lanarkshire, how long it was since the mines in question were inspected, particularly in the case of the last accident at Motherwell, as it would have been easy to remedy the defective machinery that caused it. He regretted that the Government had paid no attention in their reply to the criticisms of the hon. Member for Normanton with respect to the clauses of the Bill which were intended to secure that the workmen should have the full reward of their labour. It had been said, with regard to the deductions from the wages of the men and the methods of weighing, that the present

provisions of the Act were inefficient and faulty, and the consequence was that men were systematically deprived of a considerable portion of their wages to which they were entitled. It might be asked whether provisions to see that a workman got the full reward of his labour would be in place in such an Act; and, again, he would remind the House that the principle of legislation on this subject was completely recognized by the existing Act. A very plausible argument, no doubt, might be urged to the fact that employers and workmen should be allowed to enter into their contracts face to face, and that Her Majesty's Government should make no attempt to interfere. It was too late to seek to introduce that principle, because they had already departed from it. The check-weigher had a statutory position given to him under the existing Act, and the number of Amendments upon the Paper with regard to this matter showed what immense importance was attached to it by everyone who understood the subject, and the necessity for making the powers of the check-weigher thoroughly real and sufficient. So far as his own knowledge and experience went, it completely corroborated the statement made by the hon. Member for Normanton. In some collieries a system like this prevailed—the men were paid by the ton, but the ton was required to contain 22½ cwt., or some other amount considerably exceeding the Imperial ton. Not only so, but he knew collieries existing where workmen had worked for 30 years without being aware of it, and it was only when a check-weigher had been appointed within the last year or two that the system had been discovered. When it had been discovered the employer then made it a matter of contract, and the defence of such a system appeared to be that the men might legitimately contract for so many hundredweights or for so many tons. In the same way he was informed the control of the check-weighers was not efficient, as he could not secure that the hutches were properly weighed. As he was informed, if the output of the various collieries over the country were compared with the wages paid according to weight, there would be shown a very large surplus of the output over the quantity that was accounted for, thus showing that the workmen had been defrauded of their pay to a large extent. It might appear almost incredible that such a system should prevail. But the complaints of the workmen on this head did not rest only on the statements now made. By the Truck Commission of 1872 it was proved that the workman was deprived of a large amount of the benefit of his wages; and, therefore, it was not at all wonderful that these further revelations with regard to weighing should now be made. What he complained of on the part of the Government hitherto was that they did not appear to have given sufficient weight to so great an evil. He did not for a moment say the remedy was in all cases perfectly easy—either in the case of weight under the Coal Mines Act or in the case of truck—but he did say that when a Government was confronted with the fact that the workmen in the mining industry were by one means or another deprived of the fruits of their labour the evils should be acknowledged and the difficulty faced, and there should be a more earnest and candid endeavour to reform evils that existed than he had seen any trace of on the part of the Government. He was quite sure that in so doing the Government would consult the best interests of capital as well as of labour. He was sure he could say for himself, and he had no doubt for all sitting on that side of the House, that, so far from having any desire to set up one interest against the other, their earnest desire was to see capital and labour working in combination. He called upon the Government to give a more frank recognition of this evil, and to apply their minds to it; and if they did so, they would from that side of the House receive the most cordial co-operation, and the most warm appreciation of their efforts in that direction.

COLONEL BLUNDELL (Lancashire, S. W., Ince) said, he thought that naked lights should not be allowed in the same ventilating district of a mine where safety lamps were necessary. Naked lights might be used in certain parts of such a district with perfect safety if everybody did exactly what he was expected to do; but he was informed that accidents arose from miners carrying these naked lights into the parts where safety lamps ought only to be used. As to examining miners for matches, he thought it was necessary, and that some means might be devised of doing this

without outraging the dignity and manhood of the workmen. Unless the right to examine for matches was given, the elaborate provisions of the Bill to insure safety appeared useless; it was just as if they were to caulk a ship very carefully except in one place, and then to leave a large hole in the bottom. Another question of great importance was the position of the manager. Unless the position of the manager was upheld there would be no safety in mines. At present the manager of a mine could only be prosecuted for neglect of duty through the intervention of the Secretary of State, who, of course, would act under the advice of the Inspector for the district. The Bill proposed that the manager of the mine could be prosecuted by anybody, and this would undoubtedly open the way for frivolous prosecutions. In his opinion, the owner and agent should be liable to prosecution for anything done personally, just as much as anyone else might be; but a manager's position was totally different. His position was like that of the captain of an Atlantic liner with the owners and agents on board. The owner down a mine was nothing more than a mere supercargo. Power must be given where responsibility was given; even, where necessary, the power to break rules which would have to be carried out implicitly by others with less responsibility, just as a stationmaster at a railway station was often called upon to do. Under these circumstances, he felt that the manager should not be liable to prosecution except with the consent of the Secretary of State, as at present. He would tell them straight what his views were with regard to the check-weigher. Every facility should be given to the check-weigher to check the weight; but he ought not to be allowed to stop work. He would give the House an illustration of what he meant. Supposing a check-weigher were secretary of a union which had issued an "ukase" to limit the output, he might abuse his position as check-weigher and stop the working of the mine by rebuking a man for getting too much coal. That, in his (Colonel Blundell's) opinion, would be wrong. Let a check-weigher be secretary of the union if they would; but, if he were, he must learn to separate his duty as a check-weigher from his duty as secretary. At the pit he must be check-weigher, and nothing else. With reference to the question of the employment of women, a vivid picture had been the other day drawn of a Lancashire colliery by a Yorkshire artist, who described the women employed in these collieries as being a sort of giantesses employed to haul tons of coal. That, however, was a figment of imagination, and not a description of fact, as these women were engaged chiefly to take away the impurities of the coal as it passed through the screens. This work was far better done by women than by men, and if it were monopolized by men in other districts, he strongly recommended the Society for the Protection of Female Labour to look into the matter. As was stated by one hon. Member the other night, the question was a very serious one. The Bill only affected 500,000 people; but if they touched the question of female labour, they touched a question affecting the better half of the population in more senses than one. By all means let female labour be regulated; but do not diminish female labour if the conduct of women was good. They had irrefutable testimony on this point from ministers of religion and others. If a Commission were appointed to inquire into the question of female labour, it ought to be with a view of increasing it, not diminishing it. The question of the inspection of mines had been touched upon, and on this point he thought there ought to be an annual inspection, irrespective of the occasional visits, in order that the State should be better acquainted with its coal supply, and know about the coal being wasted and left below. Some day it might be regretted that this was not attended to. Then, he might mention one matter which had been already attended to—the subject of weights. The Bill provided for this; but he thought the Government had had in view the necessity of having proper weighers; but still there seemed to be left out of view the point that the men did not get the full weight of their labour. It was not that they got more to do; but what the men looked to was that they should get full remuneration. It had been mentioned that there was an arrangement between the masters and the men; but on this subject there would be more discussion when the clauses of the Bill were debated. He thought the Government had by the Bill considered very carefully the recom-

mendations of the Report of the Royal Commission, and, in his opinion, the Bill was a good one.

MR. JACOBY (Derbyshire, Mid) said, he rose to express the disappointment of the miners in the Derbyshire district at the contents of the Bill. The Secretary of State for the Home Department had a special advantage in considering the previous Bill introduced by his Predecessors, though, undoubtedly, that Bill would have required considerable alterations. It was the greater disappointment that after the right hon. Gentleman had had the means of ascertaining the wishes and views of miners, as represented by a large deputation, a more satisfactory Bill had not been introduced. It was a curious fact that in the discussions upon the Bill so far, nearly all those who spoke with authority as Representatives of colliery workmen had severely criticized various parts of the Bill; while, on the other hand, those who might be taken as representing the capitalist view had expressed their approval. It might, therefore, be assumed that it was a masters' Bill, and not a working colliers' Bill—a mines Bill, not a miners' Bill. A very important question was that of the check-weighers. In Derbyshire there had been much complaint on this head, and there had been some very cruel dismissals of check-weighers simply for doing their duty. In one case brought under his notice all the men engaged were discharged, and afterwards all were re-engaged except the check-weigher, and he was practically Boycotted, word being sent round to all the collieries in the district not to employ him. The position of the check-weigher was difficult enough. If he did his duty to the men he was subject to be sent away by the manager, and if he sought to please the manager, then his position was made untenable by the dissatisfaction of the men. All that was wanted was that the position of the check-weigher should be settled once for all, so that he could do his duty fairly to all concerned. All that the men asked for on the point was that the coal they worked with so much toil and risk should be fairly weighed, and their labour properly remunerated. On the question of the manager, it was desirable that, where he had a number of pits under his control, he should have full responsibility under the meaning of the Act. Most important, also, was it that managers and under-managers should have had at least five years' practical experience. Without this their management would be of little use in a mine. The question of safety lamps, too, was one of first importance, and in every case the lamps should be well tested with gas. Science would, he hoped, in due course adapt the electric light for use in mining; but until then too much precaution could not be exercised in testing lamps. The employment of boys under 12 was a thing much to be deprecated, and in the interests of education, if for nothing else, there should be a provision against such employment. One other question with which the Bill ought to deal was the use of timber. It had been said, on good authority, that two-thirds of the loss of life in mining operations arose from the falls of roofs and sides, and many such accidents would be avoided if there was always a plentiful supply of timber at the pit-bank. He hoped some amendment in the Bill would insure this. For two years he had been actively in contact with the mining class, and found them a hardy, honourable set of men, and the House was well employed in legislating for the interests of the men in their always arduous, and often dangerous, occupation. He hoped, therefore, that this Bill would not be made in any way a matter of Party feeling, but that the House would be guided by a desire to work for the miners' safety as far as possible.

MR. W. ABRAHAM (Glamorgan, Rhondda) said, it was not his intention to indulge much in finding fault with the Government for the sins of omission in the Bill. He was prepared to be thankful for small mercies. Still, there was one point to which he considered it his duty to call attention. One of the first sentences that met the eye in perusing the Preamble of the Bill was of the proposed alterations in the law relating to a subject recently investigated by a Royal Commission appointed to inquire into accidents in mines. But he found that what, to his mind, was one of the most important subjects dealt with by the Commission was all but forgotten in the proposed alterations in the law. He meant the means of minimizing the accidents that occurred from the falls of coals from the roofs and sides, by re-

cognizing and providing for the practical training of colliers, without which, in his opinion, no man was able to protect himself properly against this fruitful cause of accidents. The Government should seriously consider this matter, with the view of placing in the Bill something that would make it imperative that a man following the hazardous occupation of a miner should be properly trained. True, the Bill provided that, where timbering was done by the workmen, suitable timbers should be provided for the men in places convenient for them. So far, very good. But in doing that the Bill only provided indirectly for a seventh of the recommendations made by that most important Commission, and on this point only provided for a third of their direct recommendations. On page 13 of their Report it would be found that the Commission stated that, from statistics given in evidence by Mr. Dickenson, it appeared that the deaths caused in the coal mines of Great Britain by the fall of roofs and sides since 1850 were as follows:—In the 10 years ending 1860 37·5-6 per cent of the total deaths from accidents of all descriptions were due to that cause; 39·1 per cent in the 10 years to 1870; and 39·7 per cent during the 10 years to 1880. During the years 1882-3 the proportion had risen 41·5 and 44 per cent respectively. It would, therefore, be conclusive from these figures that deaths from falls of roofs and sides were gradually increasing year by year. Then, to meet this state of affairs, the same Commission said—

"While we are unable, for the reasons mentioned, to specify which system of timbering is best, the experience of 10 years' supervision and improvement secured under the Mines Act renders it certain that much may be done towards reducing the number of deaths from accidents and falls by paying attention to the following points."

The first point was that to which they had already called attention, the maintenance of ample supplies of timber in localities convenient to the workmen. It was provided for by the Bill, and he thanked the Government for it. The second point was the proper training of each miner to the best mode of timbering and otherwise protecting his working place. For this important recommendation he was sorry that the right hon. Gentleman had not found a place in the Bill. The third point was the exercising of increased care on the part of the workmen in watching the roofs and sides and faces, and protecting themselves at all times. To speak in that language to unpractical men was foolishness. It was ridiculous to speak to untrained men in the terms of the Commission. The Commission, however, recognized the necessity of practical training, and here science and practice and experience went together, because—and he was glad to find it so—the working men, with their employers, and the Commission were of one opinion on this most important subject. The Commission admitted the necessity of practical training for miners, and it was made clear by them that such training was one of the most important factors in the protection of miners from falls. At page 13 of their Report the Commission again said—

"As will be seen from the record of deaths from falls of the roofs and sides and miscellaneous accidents underground, and accidents from falls, form upwards of 40 per cent of the total deaths from casualties in mines."

Although the accidents from explosions have much more attention given to them in the country, it was found by these figures that the deaths from falls of roofs and sides were over 100 per cent more than the deaths caused by explosions. It was true that the country did not hear so much about these deaths from falls. So much gloom was not thrown by them over a large neighbourhood. But the Angel of Death was, nevertheless, meeting their fellow-men underground and claiming his victims. It might be a death here and there to-day, or two or three elsewhere to-morrow. But one after one, day after day, the total amount of deaths from falls reached above 100 per cent more than the deaths from explosions. Hence that was a point which the miners were exceedingly anxious to have put in the Bill. The miners anticipated with some confidence that future legislation should be based, in the first place, on the Report of the Mines Commission, and, in the second place, upon the suggestions thrown out by practical experience, which combined in recommending that no inexperienced person should be allowed to have a working place under his care, or to work alone in any dangerous part of the mine, without, first, having been under apprenticeship to

some experienced and practical miner for some time. This was no new thing. He was glad to say that the special rules agreed upon by the employers and workmen of the Monmouth and South Wales district provided that no unskilled or inexperienced or careless person should work alone, or at any operations in which there was risk. Although that rule had been inserted in the special rules, yet practically it might as well not be there at all. What the miners asked was that there should be inserted in the Bill something similar to that rule, and that there should be some security for its being carried out efficiently. They believed that if that were done it would be the means of reducing the sad and great percentage of deaths from falls of roofs and sides. In the public mind, the occupation of a miner had too often and too long been thought something similar to the carrying out of an agricultural occupation, or the pushing of a wheelbarrow. But there was no greater mistake than to suppose that a man strong in limb, however defective in mind, could follow, as it should be followed, the occupation of a miner. Still, it was found that men were taken from the plough, from the forge, from the last, from everywhere, and were sent into collieries and made colliers, altogether irrespective of the vast danger arising from that practice. Then there was another point. They were told by the Commission that as yet they had no lamp worthy of the name of a safety lamp. It was to be regretted that they should have to acknowledge that failure. But the Commission itself admitted that there was no lamp worthy the name of a safety lamp. What were they, then? Lamps of danger. Then the Home Secretary would pardon him if he pushed further a point urged by the hon. Member for Morpeth (Mr. Burt). If the Government did not feel able to say what lamp should be used, still there were a number of lamps admitted to be unsafe. Let the Government say that those lamps should not be used. Let the miners have that much protection from the Bill. He desired to press that point in the hope that something might be done in the case of lamps, and something also done to secure the practical training of men who carried their lives in their hands. It should, however, be borne in mind that a miner who was inexperienced or unskilful not only endangered his own life in this matter, but that he also endangered the lives of a host of his fellow-creatures. The House would agree with him that that state of things should be put an end to, and that it should be made impossible that any unpractised or unskilful man should be placed in such a position that from his want of knowledge of what he was doing the lives of hundreds, if not thousands, of his fellow-men should be at his mercy. Even yet he hoped that something would be done on this point. On the other question to which he had referred, he was glad to find that there was so much unanimity amongst hon. Members that he need say nothing. As to the engagement of women in mines, he would not enter on that point that day. But he hoped that there would be a full and fair discussion on it some other day. Whether this Government or any other Government interfered, whether they put a stop to the employment of women or not, women's labour about mines was doomed. A few years hence there would be no more of it. Humane feeling was against it, and before long—it would not be many years—the public feeling would say that women, the angels of humanity, should not be allowed to be employed about mines, amongst the grease and the coal dust and other disagreeable surroundings to be found there.

MR. BROOKE ROBINSON (Dudley): As this debate seems likely to last a little time before going into Committee, I should like to say a few words as to the position which South Staffordshire will occupy under its provisions; and the more especially that, while this Bill is, to a certain extent, based on the recent Report of the Royal Commission, no Representative in any shape or way of South Staffordshire was upon that Commission, and the only person who attended before it as a witness was a gentleman who managed one of the few pits on South Staffordshire principles; and although South Staffordshire is not now one of the largest mining districts, yet as it still affords employment to some 25,000 colliers, and those colliers afford employment to double that number of artizans, I venture to think the views and wishes of South Staffordshire are entitled to some consideration. Now, I am not very clear you can deal with

South Staffordshire upon the hard-and-fast lines of an Act of Parliament, so widely does it differ from every other district, not merely in the natural formation of its coal, but also in its ways and customs of mining; and what is perfectly possible to be done in the large collieries of the North of England and South Wales it is perfectly impossible to do in the small ten-yard coal collieries of South Staffordshire, some of which are literally not a dozen acres in extent, and if I wanted an illustration of this I should find it in the speech last night of the hon. Member for Mid Lanarkshire (Mr. Mason), who appeared to plume himself on having given Notice of an Amendment that every shaft should be 50 yards apart. Well, I know nothing about Lanarkshire mining, and the Amendment in question may be suited to Lanarkshire; but all I can say is that it is one totally impracticable in South Staffordshire. But, undoubtedly, almost the only portion of the Bill that is new does go to the very root of the existing system of the South Staffordshire mining. I mean the restriction upon the powers and position of the contractor. Now, I do not profess myself to be very much in love with the contracting system, and I am afraid the contractor has very few friends; but, nevertheless, the contracting system is the keystone of South Staffordshire mining, and there is barely a colliery that is not in some way or another worked on the contract system. A larger proportion of the South Staffordshire collieries are probably still worked on the butty colliery system, as it is termed, which consists of a man, who invariably in his youth has been a practical collier and has got on in the world, contracting to raise the coal at so much per ton, he providing the horses and the timber—everything, in short, connected with the mine except the rails and machinery. This man is always a practical miner; he is constantly in the mine; and he has hitherto performed those duties which, under the provisions of this Bill, will now devolve upon the second-class manager, who will have to be appointed and sent into the mine by the proprietor of the colliery. You will thus have practically two managers in a small 20-acre colliery. On the one hand, you will have the butty collier, with all the power, but with no responsibility; and, on the other hand, you will have the second-class manager, with all the responsibility, but with no power; for it requires no gift of foresight to foresee that the chances are that if the second-class manager does attempt to interfere in the management, his interference will be resented by the butty, and there will be friction and collision between the two, and in that state of things I venture to think the second will be worse than the first. You may say why not do away with the butty system; but the difficulty is that contracts with butties are entered into to extend over a considerable term; and although no man in his senses would probably think of opening a virgin mine on the butty system, it is probably, after all, the one best suited to the small broken mines as they now exist, one test of which is that it has stood the experience of a century; and, in fact, you cannot, by the stroke of a pen in an Act of Parliament, alter the ways and customs of a people. As an illustration of that, I may state that while nothing can be more peremptory than the Act of 1872 in requiring all miners to be paid by weight, and not by measure, that clause and all its penalties is, by common consent, treated in South Staffordshire as a dead letter, and every pikeman of the 25,000 colliers is paid by measure, and not by weight. Now, I do not think it is desirable for Parliament to pass enactments, and to impose penalties for non-compliance with those enactments, and yet for those enactments to be so unsuitable to the district to which they are proposed to be applied that there is no alternative but to treat them as a dead letter, and the only way to obviate this appears to me to be to give to the Home Secretary wide dispensing powers, enabling him to exempt particular districts from the operation of the particular clauses of the Bill, when it is clearly brought home to him, alike by master and by men, that the clause in question is unsuited to the wants and requirements of the district. I know that this view is not shared by some hon. Members who take an interest in the subject; but I believe the more this Bill is discussed in Committee, and the more the variations in different districts are brought forward, the more will this view impress itself on the Government and the majority of

hon. Members. Is is with the object of expressing this view that I have risen to make these few remarks.

MR. ARTHUR O'CONNOR (Donegal, E.) said, that he had not expected that the second reading of this measure would have been proposed at a quarter to 6 o'clock on a Wednesday afternoon, when it was impossible that there could be a second reading debate upon it. He was afraid that the importance of this measure was scarcely sufficiently appreciated in the country, and even the Home Secretary did not manifest much knowledge of the facts relating to it. The number of persons employed in connection with mines in this country was 600,000. Seven out of every eight of these were employed in the coal mines, and four out of every five underground. The quantity of minerals raised annually was between 150,000,000 and 200,000,000 tons. Every 150,000 tons of that enormous quantity represented a human life lost, very often by causes which were preventible. The Juggernaut of selfish mismanagement exacted a tribute of human life and limb at a rate which exceeded 25 for every week the whole year round. These accidents were not the result of sudden and therefore presumably unavoidable explosions, but generally of carelessness and selfishness on the part of the colliery owners. For every fatal explosion they had four fatal accidents from falls of sides, no less than 13 fatal accidents from falls of roofs, two or three accidents in shafts, and at least half-a-dozen fatal accidents of what in the Returns were called miscellaneous kinds. The men who knew and witnessed and dreaded these things had for years been asking, through their Representatives, that some reasonable protection should be afforded them. Inasmuch as they were not in a position to enter into contracts with their employers upon equal terms, the State was bound to interfere for their protection. He thought it was a great pity that the right hon. Gentleman the Home Secretary had not taken this opportunity of dealing with the subject in a large, bold, and comprehensive manner. The right hon. Gentleman even appeared to regard this debate as unnecessary, but he did not think that the right hon. Gentleman was likely to apply the closure to it. There were those who advocated the establishment of a Minister of Mines, and that would not be an entirely novel proposal, for under the law of Scotland in old days—which was in favour of the miners—there used to be, if not a Minister of Mines, a Master of Minerals. But if a Minister of Mines was not to be established, as some advocated, it was only reasonable to ask that there should be a strengthening of the administrative staff under the Home Office. In connection with this immense industry they had under the Home Secretary a handful of men, eminently qualified no doubt, and zealous, but altogether insufficient for their work, and the amount of money spent upon this staff did not exceed the amount expended on Broadmoor Lunatic Asylum, and was not a third of what was annually spent on the Bankruptcy Department of the Board of Trade. This Bill copied almost textually as regarded nine-tenths of it the timid measure of the late Home Secretary, and that timid measure followed feebly the lines of the Act of 1872. His view was that it was altogether a mistake to hope to embody in an Act of Parliament any scheme of general rules which should be capable of practical application in all districts of the Kingdom. There were 3,000 mines in this country, and they varied so much in their situation, in their character, in the formation of their strata, and in the conditions and traditions of their working, that the engineers and mining managers of one district would not be fit to draw up rules for another. Instead, then, of the hopeless attempt to draw general rules for universal application, he would suggest the establishment of mining districts in each of which there should be a local authority, who should have power to supervise the working of the mines in that district, and to see that no one was placed in a position of responsibility who was not able to discharge the duties with which he was entrusted; that the machinery in every case was in working order; that the ventilation was as complete as the circumstances of the mine would admit; and, most important of all, that the working faces—and this was an important point—should be regularly inspected and very carefully watched, and timber always kept in near proximity for shoring. The working faces were the chief sources of danger. Every cut of coal brought new peril, and the safety of the day was no security that the work of to-morrow would not be full of danger.

While the Bill attempted by means of general rules to provide for many things to which it was hopeless that general rules should be applicable, there were many points affecting the protection of the workmen for which no provision was made. Every man in whose hands were placed the safety and the lives of others should be proved by a competent authority as qualified to discharge the duties entrusted to his care. This timid Bill did not go at all far enough in that direction. There should also be provision made that no man should be employed at a working face or place of danger after he had reached a certain age, if he had not had training as a boy or youth. The managers had a great deal more to do than they could possibly attend to. He certainly thought that some provision should be inserted in the Bill to secure that no man should have under his management pits which were clearly beyond what he could reasonably and efficiently control. As to the use of gunpowder in fiery mines, it was so serious a matter that the Government would do well to consider whether they should not prohibit it altogether. But if an owner or body of owners were willing to expose the lives of their workmen to the very serious danger arising from shots of gunpowder in fiery mines, they should, at any rate, share the danger; and he would move an Amendment which would provide that wherever gunpowder was used in fiery mines it should not be used except in the presence of one of the owners or the manager or agent. In his opinion, no manager and nobody in authority ought to be paid a premium or percentage upon the output, because under such a system the pecuniary interest of the official was in conflict with his duty, and the salary of the manager or his deputy was increased at the expense of the safety of the mine. The power given by the Bill to workmen to inspect the mine was a mere mockery. If any two men on behalf of their fellow-men ventured to avail themselves of this power, it was well known that they would not do it a second time, as they would find that they were not wanted afterwards. The men nominated ought to be of the miners' own choosing, but not to be dependent on the owner in any way, and this should be the case whether a man was to act as an inspector or check-weigher in the interest of miners. As to the official inspection of the mines, he asked the Government whether it was unreasonable that a fiery mine should be inspected at least once a month, or that steps should be taken to secure that the men should know when the Inspector was on the spot? In Wales the Inspectors should be able to speak Welsh. With regard to the employment of boys, he was sorry to see that a youth over 12 years of age and under 13 might be employed for a larger number of hours underground than overground. This was an extraordinary proposal; and he hoped that it was a mistake made in drafting the Bill. He would only add, in conclusion, that in Scotland there was no system of Coroners' inquests, and he said that the Scotch were themselves desirous that there should be an open inquiry of some kind corresponding with the Coroner's inquest in England. Accidents often took place; some kind of inquiry was held; but it was not of a satisfactory character. He had accordingly put an Amendment on the Paper to the effect that the Sheriff should be empowered to hold an inquest in Scotland similar to the Coroner's inquest in England, and he hoped the Government would see their way to adopt it.

MR. N. WOOD (Durham, Houghton-le-Spring) said, that, as a colliery owner, he was opposed to the employment of women on pit banks, and in Committee he would state his reasons. He was likewise opposed to the clause which allowed boys of 10 years of age to work in mines. He knew it was argued that it was well for lads who were intended for colliers that they should become accustomed to the work when young; but he felt that 10 was too tender an age at which they should be permitted to commence work in a mine. With regard to the check-weighmen, he was in hopes the arrangement come to between the owners and the representatives of the workmen would be adopted by the Government, because it was very necessary that the workmen should be protected in every possible way by a check-weighman in checking the coal owners' weighing. He was satisfied there must be a greater provision of timber, and that it must be stored in places more accessible to the men. He thought the method and plan established in Northumberland and Dur-

ham was the most desirable, and trusted it would be adopted in other coal mining districts. A most important point in the Bill, which might be practically described as a new departure, was the prohibition of the use of gunpowder in blasting in all dusty mines, and the adoption of several safeguards even in mines that were free from dust. The experience of accidents and the advance of scientific knowledge had shown that there was a danger from dust which was practically unknown in 1872. Both owners and men desired that every means which could be devised for increasing the safety of life should be employed, and he sincerely hoped that this Bill, when it passed into law, would contribute largely to that end.

MR. YEO (Glamorgan, Gower) said, he thought the House did well to approach a question of such importance as this one in a perfectly judicial and dispassionate spirit. The safety of the lives of a large number of their fellow-countrymen, who were pursuing a most hazardous occupation, was a subject which certainly deserved and should command the most earnest attention of the House of Commons. He had been interested in the discussion that day, and he submitted that, on the whole, it had been conducted in careful and measured language. But he took exception to the remarks with which the subject was introduced that day. It appeared to him that the hon. and learned Gentleman who opened the debate indulged in needless recriminations, and made sweeping allegations, altogether unsupported, against Gentlemen probably as anxious to do their duty as the hon. and learned Gentleman himself could be. Nothing was to be gained by those recriminations. The hon. and learned Gentleman would have the House to believe that a very large number of employers of labour were bent upon defrauding their workmen. He believed that was a perfectly unjustifiable allegation, and, having made it, the hon. and learned Gentleman ought to have been prepared to substantiate it. If employers who were capable of the conduct to which he referred did exist, it was the bounden duty of the hon. and learned Gentleman to give all the proof in his power, so that they might be held up to public reprobation. He (Mr. Yeo) was very glad to observe that the hon. Gentleman the Member for the Rhondda District (Mr. W. Abraham), who made a very interesting, able, and practical speech, did not confirm any such charges. He (Mr. Yeo) had had the honour of sitting on a Sliding Scale Committee for a good many years. That Committee took cognizance of a large number of collieries in Glamorganshire and Monmouthshire, and on it sat representatives of the workmen in equal number to that of colliery owners. In the whole of his experience he never before heard it said that employers were guilty of depriving men of their just earnings. He trusted, therefore, hon. Members would dismiss from their minds the idea that any such conduct was pursued to any large extent, if, indeed, to any extent at all. He had listened to the remarks of the hon. Member for East Donegal (Mr. Arthur O'Connor) with great pleasure. The hon. Gentleman spoke of the necessity of classifying collieries. It must be remembered that the conditions of collieries differed very greatly. There were what were called fiery mines, in which shot-firing would be a most perilous proceeding, and there were mines of an anthracitic quality. During a long series of years no explosion from shot-firing had taken place in an anthracitic mine, dusty though it was. If there was any danger of explosion from shot-firing in the latter class of mines, surely there would have been some example of it, because the miners were in the habit of firing two and three shots a day. He thought it would be a great mistake to impose upon anthracite mines the conditions imposed upon fiery ones. The fact was that there was a possibility of stopping explosions which might commend itself to the House, but would not commend itself to the colliers, and that was to stop the mines altogether. That was what the House would virtually do if they accepted the Bill as it now stood. In these anthracite collieries each man fired on the average two or three shots a day, and if the regulation were adopted that all men should be withdrawn from the mine before a shot was fired no work would be done at all. He would urge on the Government that collieries of that kind were in a totally different category from the ordinary mines. The Government ought to be largely guided by any suggestion made by the work-

men and employers unitedly. When they found the men whose lives were in danger and the employers, who were also deeply interested in the safety of the mines, making a suggestion, the Government and the House ought to give it very favourable consideration. The hon. Member for East Donegal made one statement rather out of keeping with the rest of his speech when he insinuated that, although the men were allowed to appoint their own representatives to examine the mines, these men were never employed a second time if they reported unfavourably of the mine. That was a most unjustifiable observation, and he thought the hon. Gentleman, on consideration, would see that it was a mistaken opinion. Who were most interested, next to the men themselves, in mines being free from gas and in getting the most accurate report of the condition of the mine? Undoubtedly the employers and managers; and he must be a madman who would deliberately ignore the reports of the men or dismiss them because they gave a report that was unsatisfactory as regarded the condition of some portion of the mine. The question of timbering was a most important one, as a large proportion of the accidents occurring in mines from day to day arose from falls from the roof and from the sides. It had been supposed that from motives of petty economy some employers did not provide an adequate supply of timber; but he should be extremely surprised if any owner of a colliery permitted it to be worked without an ample supply of timber. At the same time, every facility ought to be given to the men to get the timber easily, without having to go up to the pit bank for it, to escape which trouble he frequently ran great risks, which he would not do if timber were stored close at hand. It was a good suggestion that the men should be educated in the proper use of timber, and one worthy of consideration. With regard to the employment of women, it was entirely a mistaken idea that capitalists and employers attached any importance to that question in its economic aspect. There was such a very small number of women employed throughout the country in connection with collieries as to practically render the matter unworthy of consideration from the capitalist point of view. But while he should be delighted if fields of employment were open to women of the humbler classes other than the pit bank, he must say he had seen women healthful and robust and safe in that occupation; and if they were his own relations he would rather see them occupied in that healthy though dirty avocation than in tinplate works or in factories where the conditions were much more prejudicial to health. But the real question was, were they to refuse to allow women opportunities of earning their livelihood? Were they to establish a precedent which would be appealed to hereafter by which women would be excluded from other kinds of employment? He himself was not prepared to support a proposal of that kind. He could not believe that the working men—who had been accused of desiring to get rid of cheap female labour in order that their own dearer labour might take its place—were really actuated by any such selfish motives. But that was not a miner's question; it ought to be considered on a wider basis — namely, should women be debarred from opportunities of earning their livelihood, whether in collieries, factories, or similar employments? He believed that the aim of that Bill was to secure the safety of a very deserving portion of the population; and he should be prepared to support any Amendments which would conduce to the greater security of the persons employed in mines. At the same time, he would object to any measures which, without giving such additional safety, would impose increased difficulties upon employers of labour, who, especially in these depressed times, had already great difficulties to contend with.

SIR JOSEPH PEASE (Durham, Barnard Castle) said, he would urge some of his Friends who were anxious to have this Bill passed into law to get it into Committee at once, as there was no Amendment to the second reading. With the exception of one speech, all those he had listened to were Committee speeches, and would be far better made on clauses. Those of them who had sat some time in the House knew that, as they had reached the 22nd of June, the time available for the Government, under any circumstances, to devote to matters of this kind was rapidly running out. They were having an interesting discussion on the various subjects, but he

was afraid they were going a great way to endanger the Bill itself; and he would urge, therefore, on his hon. Friends who were anxious that it should pass into law that if they went into Committee at once they might make fair progress with the Bill. The Government had the Report of the Crimes Bill, the Land Bill, and much other Business; and unless progress was made with this Bill that day, he did not see how they were going to get it through this Session. He believed that there was nothing in the mind of the right hon. Gentleman opposite — the Home Secretary — which would prevent the fair consideration of the Amendments which might be proposed; and he thought that, as they were practically all agreed upon the principle of the measure, they could make their speeches with better effect in Committee on the clauses than in prolonging what was virtually a debate on the second reading.

MR. CAVENDISH BENTINCK (Whitehaven) said, he supported the appeal of the hon. Member. Representing, as he did, a population which might be said to be connected with the mining industry, he had to say that the people of the district were interested in the Bill, and desired it to be passed into law this Session. He hoped hon. Members opposite would accept the advice of the last speaker.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) said, he had been requested to support the Amendments which were proposed by the agents and managers of the mines. It was erroneous to suppose that the miners and the managers were not greatly interested in the measure, and most anxious that it should be thoroughly debated in Committee and passed into law this Session.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clauses 1 to 3, inclusive, *agreed to.*

PART I.

Employment of Boys, Girls, and Women.

Clause 4 (Employment below ground of boys under ten and of girls and women prohibited).

MR. BURT (Morpeth): Mr. Courtney, I beg to move to leave out "ten," in line 20, and insert "twelve." The object of this Amendment is to prohibit the employment of any boys in mines under 12 years of age instead of 10 years. Even so far back as 1842 Lord Ashley, who was the great pioneer in the legislation affecting the employment of children in mines, inserted in his Bill a clause providing that boys under 13 years of age should be precluded from entering mines; and at that time the clause of the noble Lord was strongly supported by a large number of the Members of this House. The Act of 1872 generally prohibits the employment of boys under 12, but there is a power by order of the Secretary of State to make exceptions to that rule. At the present time there are only 311 boys under the age of 12 employed in mines, and 308 out of the 311 are employed in Lancashire and in Yorkshire. The reason that is urged for their employment is the thinness of the seams in those parts of the country. I do not think that there is a shadow of a foundation to say that there is any necessity in Lancashire and in Yorkshire that does not exist elsewhere for the employment of boys of such tender years. We have thin seams in other parts of the country, and we manage to have boy labour restricted to those above 12 years of age. Unless there is an overwhelming case made out for the employment of these young boys, I think it will be admitted by the House generally that on physical and moral grounds, on the ground of the desirability of boys having a chance of being developed physically, and of being properly educated, no boy under 12 years of age should be admitted to the mines. I can only say, in addition to the arguments I have already urged, that the Select Committee which sat from 1864 to 1867 strongly recommended that no boys under 12 years of age should be employed, and I think that a recommendation of that sort coming, as it did, from practical men, many of them large coal owners, should carry very great weight in this House. I beg to move the Amendment of which I have given Notice.

Amendment proposed, in page 1, line 20, to leave out the word "ten," and insert the word "twelve."—(*Mr. Burt.*)

Question proposed, "That the word 'ten' stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): Mr. Courtney, this is a question on which, I admit, my own original opinion was similar to that of the hon. Member for Morpeth (Mr. Burt). It seems to me that 12 years of age is a sufficiently early age for a boy to be employed about a mine; but hon. Members will observe that in the Bill which is now before them we are not altering the existing law. The law, as it at present stands, has been in force since 1872, and from the best inquiries I have made, I have not found that any inconvenience, any disadvantage, or any hardship has resulted from the employment of boys under 12 years of age. The numbers are small, I may almost say insignificant, for there are only 311 boys in the country whose case we have to deal with; and one naturally asks what there is in the circumstances of Lancashire and Yorkshire which should cause those two counties to employ boys under 12 years of age? As the hon. Member for Morpeth very truly observes, all but two or three of these boys are employed in those two counties. Now, I had the advantage recently of an interview with a deputation from Lancashire. The manager of the Low Moor Mine, a mine with which, no doubt, many hon. Members will be acquainted, who formed one of the deputation, assured me that altogether 1,700 hands were employed at Low Moor, and that in this number there were no less than 90 boys under 12 years of age; that is very nearly one-third of the total number of boys under 12 employed in the whole country. This gentleman assured me also that the boys are perfectly healthy, strong in their limbs, and happy in their employment. He regards as a vital consequence to his colliery that they should be allowed to employ a boy as early as 10 years of age, and the reasons assigned were these. If you allow boys to reach the age of 12 before they can begin to learn the business of a collier, they are almost invariably drawn off to other employment. There are factories of all kinds which are competing for the work of young children, establishments in which the work is probably more agreeable than that under ground, and in which the remuneration is certainly not less. If a boy is not allowed to begin work about a mine as early as 10 years, the chances are he will not begin the colliery work at all. Not only are these boys healthy, but they make the best colliers afterwards. The work these boys are put to is to push trams with their heads. [*Cries of* "Oh, oh!"] I am told that is the work they practically do. Perhaps I have not used the right word, and I ought to say that pushing of tubs in which coal is carried is the first work they are put to. Being employed thus early about the mine, they get habituated to the work, especially in the thin seam mines, forming, in the result, the best colliers. I think the hon. Member for Morpeth has forgotten that this does not touch the Education Act at all, and that these boys, when employed at this age, remain subject to all the provisions of that Act. They must comply with all the conditions of the Act as to attending school, and half-time, and the attaining of a certain Standard—they must comply with all the conditions of the Act, which certainly prevent them being unduly engrossed in colliery work. We think it is best, on the whole, not to alter the law, which has worked well hitherto, but to leave the question of the employment of boys of this age to be dealt with by special dispensation of the Secretary of State. I have always thought that where the existing law does not work hardship, it is unwise to alter it, and I think it would be best to adhere to the rule in this case, which, upon the whole, has given satisfaction.

SIR WALTER FOSTER (Derby, Ilkeston): Mr. Courtney, I rise to protest against the principle, which the right hon. Gentleman has put into his Bill, of employing boys of this tender age. It is a principle which, on social as well as on medical grounds, ought not to have the sanction of this House. I am astonished that the right hon. and learned Gentleman the Home Secretary—who represents one of the largest industrial constituencies in this country—should advocate a measure for employing boys of 10 years of age. We have in the Eastern Division of Birmingham a very large industrial population, and I think that the right hon. and learned Gentleman will find there among his constituents, a very strong feeling that the employment of children of tender years is not a principle which has the sanction of the working classes. But on medical grounds the employment of

children of this age is exceeding injurious. We have in mines a very high mortality, especially from lung disease, and children entering mines are placed under conditions which will bring about the development of serious lung troubles, to which at their tender years they are more than usually liable in a grave form. I also think that the association of these children in the pits at this time of life with adult miners is not conducive to the general well-being of the population. The right hon. and learned Gentleman has defended his proposal on the ground that it is convenient. It was convenient a few years back for children to be put up chimneys, and it seems to me that the argument of convenience was equally applicable to the sweeping of chimneys by children. I maintain that the employment of children in pits is bad from a medical point of view, and bad from the point of view of their physical development. It is frequently the case that children so employed are stunted and lopsided. If these boys have only to push trams, surely on the ground of common humanity we ought to prohibit such employment, which is really that of a beast of burden. I hope the Committee will, on the ground of humanity, as well as on medical grounds, object to the continuance of the employment of children of this tender age. By the admission of the right hon. and learned Gentleman, this is a very small matter: it affects only 311 boys; but I protest against an important principle like this, although it affects so small a number of children receiving the sanction of this House.

MR. F. S. POWELL (Wigan): I hope the Committee will allow me to say a few words upon this subject. I desire to do so, because I was in duty bound to take part in a discussion which occurred upon this subject in 1872. This question was discussed on the Committee stage, and also on the Report stage of the Coal Mines Bill, which was brought in in that year. My noble Friend, Lord Frederick Cavendish, whose loss we all so deeply lament, took exactly the same view on the subject that I did, and do now. We both represented the North-Western Division of the West Riding of Yorkshire, and the representations made to us on behalf of employers and employed were of such a character that we both felt bound to support the Bill then before Parliament, which contained a similar provision to this. At that time there were numerous Petitions signed by working men in favour of the emloyment of boys under 12 presented to Parliament. Petitions of the same class are now numerous; and although, perhaps, they will not be quite so numerous as they were in 1872, the diminution arises from the fact that the employment of boys is now less, because the trade is depressed. Nevertheless, in proportion to the number of boys employed, the number of Petitions is as great now as it was then. This is a question on which the working men and the employers are exactly of the same mind. The working men, who care as much for their children now as formerly, are anxious that the law should continue as it now exists. [*Cries of* "No, no!"] I am speaking from information, I am not speaking rashly. It is not my habit to make statements in this House without the fullest information. Then comes the difficulty which was mentioned by the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) as to the competition of other employment. In these districts there are factories scattered in large numbers over the country, and unless boys enter mines early they are tempted into other occupations and there is a difficulty to find people to work the mines. The hon. Gentleman the Member for the Ilkeston Division of Derby (Sir Walter Foster) has raised the question of health. I dare say that in a school of medicine arguments might be adduced on the ground of health against this proposal in the Bill, but the fact of the case is this that these boys are healthy boys. It is a matter of actual fact which is known by those acquainted with mining districts, and who know something of Low Moor, that these boys are above the average in point of health and strength. At the inquiry in 1872 there was a statement made by the manager of an industrial school as to the health of these boys. He said that the boys of this tender age employed in mines were as healthy and as strong as other boys of the same class. As to these lads being lopsided, I must confess that in my wanderings in the neighbourhood of Low Moor I did not see any lopsided people, on the contrary, no population can be more strong and vigorous.

They give the best manifestation of their strength in their courage in the exercise of the athletic sports which are now so prevalent in the district. Then comes the next point to which I must refer, and that is the bad state of trade. We cannot deal with this question of labour or of capital as if everyone was blessed with abundant prosperity; on the contrary, we are struggling exceedingly against great difficulties at the present moment. Many of these thin seams are not worked because the expense of their working is such that they do not pay the expenses; but, if you interpose new difficulties and render the working of these mines still more expensive, you will not only throw out of use many mines, but you will postpone the time when many mines, which are not now being worked, will be again put into activity. These restrictions are not a boon to the working men, but an injury to them, because they deprive the working classes of the opportunity of gaining a livelihood by this particular industry. Then comes another point alluded to by the hon. Member for Morpeth (Mr. Burt), the question of the education of these children. Now, one of the reforms introduced by the Government in this Bill in respect to education is, in my opinion, a very wise reform. The education of the chilren will be left in future entirely under the authority of the Education Acts. I have made inquiries in this district respecting education, and I find the custom is that the boys should go to school five out of ten school days. They attend school in one week two days and in the alternative week three days, they are half-timers, but they devote one whole day to school and the whole other day to work. If they were not labouring on this system but on the half-time system in factories, they would be working under circumstances less favourable to health—namely, half-day in school and the other half-day at work. There is now a standard before a boy can work half-time, and I may remind the Committee that that standard has been raised. I think I may fairly claim that the general law does make provisions for the education of these children, they are not permitted to work in these thin seams unless they have complied with that general law, and I think that we may fairly leave the education of these children to the Education Acts. I may be permitted to make one other observation before resuming my seat. I do hope that these sections, with reference to the employment of the work people, respecting the age of the people, respecting the times of employment and the intervals for meals, will be allowed to continue unaltered. An hon. Friend of mine has several Amendments on the Paper with which I shall not be able to agree. I do not want any retrograde step. I think it is better that the law should stand as it now exists, and that we should consider this controversy as closed, and should deal with the other and most important provisions of the Bill. May I remind the Committee of the exact words of the Bill as it now stands? The only circumstances under which these boys can be allowed to work is that by reason of the thinness of the seam——

THE CHAIRMAN: The hon. Member is now referring to the next clause, not to this clause.

MR. F. S. POWELL: No, no, Sir; I submit that I am in Order. I am stating the circumstances under which these children can be allowed to work according to the Bill. In doing that, I am obliged to explain that the Bill says that these boys can only be allowed to work if the Secretary of State is convinced that the seams render their employment necessary. If the Secretary of State does not find that case made out then he refuses his order. This gives a large discretion to the Secretary of State, and I am perfectly certain that in these days no Secretary of State will allow children to be employed unless the case is proved to his satisfaction.

MR. A. H. BROWN (Shropshire, Wellington): May I point out that at one time the number of boys employed in mines was 919, and the number has now fallen to 311. I admit that possibly that fall may be, to a certain extent, caused by the depression of trade; but I cannot admit that the whole of that fall is so accounted for. The fact is, I believe, that by a better system of working it is possible to work some of these thin seams without calling in the assistance of boys of between 10 and 12 years of age, and if that is so, I feel that the House ought to agree to the Amendment of the hon. Gentleman the Member for Morpeth (Mr. Burt).

SIR JOSEPH PEASE (Durham, Barnard Castle): My hon. Friend the Mem-

ber for Wigan (Mr. F. S. Powell) has made a very lengthy speech in order to keep at work 311 boys of tender age. Now, out of 423,862 men and boys employed in the mines of this country, there are only 311 boys between 10 and 12 years of age. Perhaps a few facts may be worth a great many arguments. I am one of those interested in a district where there are a number of very thin seams, and many years ago most of the coal owners in that district agreed that they would not employ boys under 12 years of age. We found no difficulty in working the mines without boys under 12; many of us have gone a good step further, and for many years past a great many of our mines have had no boys whatever in them under 13 years of age. I think my hon. Friend the Member for Morpeth (Mr. Burt) would have gone rather too far if he had suggested 13 years of age instead of 12; but from practical experience in the matter I should have found great difficulty in not voting with him if he had. The hon. Gentleman the Member for the Rhondda Valley Division of Glamorganshire (Mr. William Abraham) has said that what we want is safety. No doubt, that is so, and I ask how is safety to be best attained? I think it will be best attained by having a well taught population. In some of the mining districts we have now a well-taught population. I know mines in which several, and I believe all, the deputies or timber setters have received certificates of proficiency in mining from South Kensington. If boys are kept at school until they find the value of learning, they continue their studies after they leave school, and thus make themselves valuable men in mines. Let us consider for a moment what our own boys are at 10 years of age, and whether we should consider them fit to be put to such employment as these young lads are put to. I believe the safety of our mines is to be found in having a thoroughly well-taught mining population, and in order to afford boys an opportunity of obtaining a proper education, I shall support the Amendment before the Committee.

MR. WIGGIN (Staffordshire, Handsworth): As the Representative of a very large mining population in South Staffordshire, I desire to say a few words in reference to the Amendment before the Committee. I trust that after the remarks addressed to the Committee by preceding speakers the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) will see his way to accept the Amendment. If I had any doubts before hearing the right hon. and learned Gentleman the Home Secretary as to whether there was any necessity for retaining, or advantage in retaining, the present provision, those doubts would have been entirely dissipated when I heard that out of the great mining population we have in this country only 311 boys under the age of 12 years are employed in mines. Surely there can be no necessity for any such law as this. The physical advantage of the change to the rising generation apart from the advantage which these boys will gain in attending school will be enormous. It is upon these grounds I hope the right hon. Gentleman will accept the Amendment. I have been in constant communication with the representatives of the miners in South Staffordshire, and I know that the feeling is very strong among them that the age of the boys should be changed from 10 to 12 years.

MR. LLEWELLYN (Somerset, N.): I look upon this question as a practical one, and not one upon which we must take a sentimental view. I shall certainly support the Amendment, because, apart from the question of the unhealthiness of the occupation for boys of such years, I consider that boys of so tender an age are quite unfit to take care of themselves. I have considered the question well, and having consulted with the owners and managers in my own district, I think that the Amendment ought to be accepted.

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I should be glad if the Committee will bear with me while I say a few words upon this question. I feel that the Committee is likely, from the best motives, to be led into a grave error. Let me say at the outset that if I believed the cause of humanity was at stake in this matter, I should be the last person to oppose the Amendment of the hon. Gentleman the Member for Morpeth (Mr. Burt). I agree with the hon. Gentleman when, speaking upon an earlier stage, he said—"You cannot force on a district wages and a system that are not acceptable either to employer or workmen." Now, in 1885, I had the honour of con-

testing a Division of Yorkshire in which these thin seams principally exist, and I also have had practical experience of the matter, because I have been shown some of the thin seam mines, and I am acquainted with a business which is largely connected with those thin seams. I feel certain, therefore, that if the Committee disagree with me, they will, at least, bear with me in what I have to say. In the first instance, I ask the Committee to consider what the position of the trade in the North West Riding of Yorkshire and in the Southern Districts of Staffordshire is at the present moment. This exception to the general law was introduced, I believe, after the Report of the Mines Commission for good and sufficient reasons. Now, the hon. Gentleman the Member for the Handsworth Division of Staffordshire (Mr. Wiggin) has dwelt a great deal on the fact that it has been shown by a Return presented to the House that only 311 boys under 12 years of age are now employed in mines. That I admit is an argument which seems to appeal very largely to the House of Commons; but I ask hon. Members to remember that this thin seam industry is a very small industry, and that it is, at this present moment, a very depressed industry. The thin seam coal miners only exist in a very limited area, and they deal with a very special trade. Practically, they deal with what is known as the best Yorkshire iron trade, which is itself very greatly depressed. Now, two questions have been principally urged by those who support the Amendment—the questions of health and of education. As regards the question of health, I ask hon. Members to look at it from a practical point of view. If they do, I believe they can show no single instance of a healthier population than exist at the present moment in the Yorkshire iron mine district. With regard to the employment of 311 boys under the age of 12, I ask the House to remember that, although that is true, yet out of the total number of boys who are now engaged in mines, 90 per cent commenced work at the tender age of 10—[*Cries of* "No, no!"]—I am speaking of what I know. I am speaking with practical knowledge of this matter. I was present the other day at the reception of a large deputation of miners, and I received from the Members of the deputation assurance that more than 90 per cent of the total number of boys employed in mines began work between the ages of 10 and 12. Now, with regard to the question of education, I ask the Committee to remember that at this present moment the half-time system is in operation, and that boys who are half-timers can go into other employment if they do not go into mines when they have passed a particular standard. I know the practical difficulty is not a small difficulty of getting boys sufficient to do this work, and of educating them for this special work in mines; but I know also that there is this difficulty that unless you do get them to go into the mines at the early age of 10, owing to the extreme depression of trade they will go into some other employment where they can earn something; they will not continue to pursue their education in the schools, but they will go into some factory or some offices, and it becomes impossible then to obtain them for the collieries. I am grateful to the Committee for having listened to me so patiently—I will only refer to one other point. The hon. Gentleman the Member for Morpeth spoke of the importance of having carefully trained colliers. Now, I ask him to look at the matter in the light of the Report of the Inspectors of Mines, one of whom, certainly, has, in his Report, drawn attention to the importance of having those who are engaged in this dangerous and difficult trade early educated with regard to the business which they have to carry on. This is not in reference to education generally, but to education in the management of mines, and in the carrying on of the particular trades which they have to follow throughout their lives. I hope I have made my point clear to the Committee. I do not believe that this is unhealthy employment for these boys, and upon this point I confidentlly appeal to all those who have practical experience of the working of mines. I should have been glad if, when he had an opportunity of seeing some of the pit-brow girls the other day, the right hon. and learned Gentleman the Home Secretary had had an opportunity of seeing some of the Yorkshire lads who have been brought up in the pits, because I know he would then have readily admitted that in the matter of health they contrast most favourably with those

who are following sedentary occupations in London. Let me impress upon the Committee the necessity of being careful and guarded before they put any further restrictions upon labour. God knows that times have been very hard, and that the earning of wages has been difficult. These young hands and young arms have done something towards supporting their parents and relatives, and therefore I ask those who have no practical knowledge on the subject to consider, at least, carefully what I have said. I earnestly urge the Government not to be led away by a sentimental or a humanitarian outcry, and thereby do that which will be highly detrimental to an important industry and of no advantage to those in whose behalf the change is sought.

MR. JOICEY (Durham, Chester-le-Street): Mr. Courtney, I listened with considerable surprise to the hon. Gentleman the Member for East Grinstead (Mr. A. E. Gathorne-Hardy), who has done his best to persuade the Committee to continue the employment underground of boys between the ages of 10 and 12. One of the arguments of the hon. Gentleman appears to me to weaken instead of strengthen his case. He says that in the district to which he referred, of all the boys over the age of 12 who were now employed in the mines, 90 per cent had worked in the pits before they were twelve years of age. That shows clearly that the boys in that particular district are practically receiving little or no advantage in the way of education after 10 years of age. Then the hon. Gentleman went on to allude to the fact that the boys under 12 who are now employed are half-timers. If you take the 311 boys as half-timers, that simply represents 155½ boys who are working full time, and, consequently, it seems that the clause in the Bill allowing the lads to be employed at 10 has been permitted to remain owing to pressure put upon the Government by one or two companies who are specially interested. But there is another view of the case which has not been put before the Committee, and that is, that when we consider that there are in the country only equal to 155½ boys employed full time, is this not a favourable opportunity for increasing the age at which boys should be employed to 12. We have no guarantee that the present state of things as to the small number of boys employed will continue. It is quite possible that thin seams may be worked in other parts of the country, and that other employers in other districts may be induced to employ boys at a tender age. Consequently, I think advantage should be taken of the opportunity now afforded of limiting the age at which boys should be employed to 12. I can fully bear out what the hon. Baronet the Member for the Barnard Castle Division of Durham (Sir Joseph Pease) has said with regard to the employment of boys in the County of Durham. I, like the hon. Baronet, am largely interested in the coal trade, and I am glad to say that almost entirely in the counties of Durham and Northumberland no boys are now employed under 13 years of age. We believe that it is to the ultimate advantage of colliery proprietors that that should be the case, because, if the boys are well educated and properly developed before they are employed in the pits, they are of much more service to their masters. I hope that if the Government will not accept the Amendment, a Division will be taken, so that it may be seen who are in favour of legislation for a particular class. I believe that employers generally are strongly opposed to the employment underground of boys under 12 years.

MR. BRADLAUGH (Northampton): The arguments used by the hon. Gentleman the Member for Wigan (Mr. F. S. Powell) appear to me to go a great deal too far. As I understand him, he contended that the Amendment could not be accepted without great injury to the trade, which is already depressed. If that were so—and I think we shall succeed in showing the Committee that it is not so at all—the argument of the hon. Gentleman would be conclusive. You have 311 boys half-time, and the allegation is that important mining industries will be neglected because of the loss of profit that will accrue because of the non-employment of 155 boys and 50 per cent of another boy. The thing is so monstrous that I am afraid I misunderstood the argument of the hon. Gentleman the Member for Wigan.

MR. F. S. POWELL: My argument was this—that the present depressed state of trade has caused a good many of these mines to lie idle. The present number of boys employed is very small no doubt; but when the trade revives the number will be greatly increased.

[*First Night.*]

I argue that, with the revival of trade, other thin seam mines may be opened up entailing a greater employment of boys.

MR. BRADLAUGH: I quite misunderstood the hon. Member for Wigan. I thought he said that many of these thin seam mines would be thrown out. I am glad I misunderstood him. I understand him now that no injury will be done to the mines already at work. He suggests, however, that other thin seams will be prevented from working; but that does not fit in with the facts of the case. The facts are that instead of a larger number of boys of tender years being employed now than formerly, the number has, as we have heard from the hon. Baronet the Member for Barnard Castle (Sir Joseph Pease), been greatly reduced. I trust the right hon. and learned Gentleman the Home Secretary —after the statement made by the hon. Member for North Somerset (Mr. Llewellyn), and the statements made before you, Mr. Courtney, left the Chair by hon. Gentlemen intimately acquainted with the coal mining districts of Durham —will not persist in resisting this Amendment. We much prefer the right hon. and learned Home Secretary in his original mood—he tells us he was in favour of limiting the age to 12; but he did not tell us what were the reasons—I have no doubt they were good ones—why he approved of the Amendment. I conceive it must have been because that it was really destructive of the health of little children to be placed in mines at so early an age. An hon. Member opposite has appealed to us not to speak without practical experience. I have not practical experience of coal mines, but I have 25 years' practical experience of the class of the population to which our miners belong. The right hon. and learned Gentleman the Home Secretary has said he has been waited upon not by any lads, but by a deputation of people interested, among whom was the manager of the establishment employing one-third of the whole of the boys employed under 12 years of age, and that this manager assured him that these boys are remarkably healthy, and like their employment. That is a class of argument always used in favour of the employment of boys of tender years. Now, I say, without fear of contradiction, that to employ in hard labour of this kind under conditions of temperature such as they have to encounter, children of tender years, stunts them, whatever else it does. I have seen and conversed with stunted men who have told me that they were driven into the pits in early life, and that they have always agitated in favour of children of tender years not being employed in pits. If, as we are told, there are only 311 boys under 12 years of age employed in mines, and that 308 are employed in Lancashire and Yorkshire, I do not understand what interest Staffordshire —to which the hon. Gentleman opposite (Mr. A. E. Gathorne-Hardy) referred—has in this matter.

MR. A. E. GATHORNE-HARDY: I spoke of Lancashire and Yorkshire, if I mentioned Staffordshire I did not intend to do so.

MR. BRADLAUGH: Wherever you find children of this tender age have been employed—I refer especially to the Wigan district—you find a lower class of the population, a population with more brutal habits than you do anywhere else. I sincerely appeal to the Committee to support the Amendment of my hon. Friend the Member for Morpeth (Mr. Burt).

MR. HERMON-HODGE (Lancashire, Accrington): As a Representative of that part of Lancashire which includes part of the thin seam district, I desire to say that the men, as well as the masters, are most anxious that this Amendment should not be adopted. I wish to point out further that those who raise the humanitarian or sentimental cry of injury to the children go a little too far, because all they have said about the employment of children between 10 and 12 can be urged against the employment of children above that age. The physical education of a miner in his business is of great importance. Before a man is worth his wages in a thin seam mine, he must be educated, and in order to educate him, you must catch him young. If you do not catch boys at 10 years of age they are drawn into other occupations which are just as unhealthy as this, even if this occupation is unhealthy. The hon. Baronet the Member for Barnard Castle (Sir Joseph Pease) spoke of Durham, and said that many employers refused to employ children under 13 years of age, but there are none of these thin seam mines in his district. [*Cries*

of "Oh, oh!"] Well, not of any great extent. It is considered a matter of vital importance to the successful working of thin seamed mines in North-East Lancashire and Yorkshire that boys of this age should be allowed to be employed. I sincerely hope the Committee will approve of the Bill as it now stands in this respect.

DR. R. McDONALD (Ross and Cromarty): I should like to point out to the Committee a fact that has not as yet been noticed, and that is that all boys employed in the factories of the United Kingdom must be 13 years of age—no boy is allowed to enter a factory as a full timer until he has attained the age of 13 years. The hon. Gentleman the Member for the Ilkeston Division of Derbyshire (Sir Walter Foster) has referred to the physical powers of these children. All medical men, certainly 99 out of every 100, will admit that it is physically detrimental to children under 12 years of age that they should be employed in mines. I hope that after the discussion upon this Amendment the right hon. and learned Gentleman the Home Secretary will come to the conclusion that it is unnecessary and unwise to continue this exceptional legislation for the benefit of 311 boys.

MR. TOMLINSON (Preston): I should like to say a word or two on this subject. So far as the district of Lancashire in which I am interested is concerned, this is not an important matter. We have thin seams and thick seams; but the thin seams can be worked under the ordinary conditions. I understand, however, that there are thin seams which cannot be worked unless the people working them have worked them from a very early age. Objection has been taken to the employment of boys under 12 years of age, on the ground of education. But it must not be forgotten that these boys are subject to the provisions of the Education Act. They cannot be employed unless they obtain a certain Standard, and they are subject to the half time system. This is not a question between employer and employed; it is a question on which employer and employed are on the same side. It may become impossible for the employers to continue the working of these mines. Is the House prepared to put the proprietors of thin seam mines under conditions which both employers and employed say will render it impossible for them to carry on their business? If they do, will they take measures to relieve lessees from the obligation of working their mines? They are under that obligation according to the existing state of the law; but you are going to alter the law so as, as they say, to make it impossible for them to carry on their business. [*Cries of* "Divide!" *and* "Question!"] This is the question, but it is plain to see that the Committee is against the interests of these lessees. However, I would urge hon. Members not to act against the wishes of employers and employed alike, testified over and over again by Petitions.

MR. J. W. SIDEBOTHAM (Cheshire, Hyde): I merely wish to say one word. In the district of Cheshire which I represent we work these thin seams of coal, and we are not allowed to send boys under 12 years of age into the pits. I maintain that if that system can be adopted in our district, it can be adopted in other districts. I hope, therefore, that the Committee will accept the Amendment.

MR. MATTHEWS: I do not know whether I may not be able to save time. This is clearly a matter that only interests a small part of the mining industry—namely, the thick seam mines of Lancashire and Yorkshire. So far as I have been able to discover, the employers and workmen of these districts are unanimously in favour of the employment of boys. The right hon. Gentleman opposite the late Home Secretary (Mr. Childers) and the hon. Member for West Nottingham near him (Mr. Broadhurst) last year kept the same ages in their Bill, and the Commissioners reported in favour of keeping the ages as they were. There seems to me a concensus of opinion in favour of the clause as it stands, except so far as the hon. Member for Morpeth (Mr. Burt) who moves this Amendment is concerned, and even he, it must be remembered, signed the Report which stated that—

> "The importance of encouraging boys to enter the mines at the ages specified in the Mines Regulation Act so as to be thoroughly trained by pitmen experienced in the working of the mines cannot be over estimated."

I think there is a strong concurrence of authority in favour of maintaining the ages as they stand in the Bill; but if

there is a general feeling in the Committee in favour of the Amendment I should be glad to accept it. I should be sorry to see injustice done to special districts where unusual methods of working are found necessary, but it is for the Committee to decide the point.

MR. CHILDERS (Edinburgh, S.): The right hon. and learned Gentleman the Secretary of State for the Home Department (Mr. Matthews) has appealed to me, and though I had not intended to take part in the debate, after that appeal I feel bound to say a word. This was one of the clauses with which we had the greatest difficulty last year. I took very great interest in it, and my hon. Friend the Member for West Nottingham (Mr. Broadhurst) paid considerable attention to the matter. At that time I certainly came to the conclusion that it was not necessary to disturb the former Acts, but it is evident that from that time the number of those who would be affected by the change has been considerably falling off. After balancing the opinions on both sides so well explained by the Home Secretary, I think the Committee could with perfect safety now fix the age at 12 years. Therefore, as I have been appealed to, and as the position has been so fairly placed before the Committee by the right hon. and learned Gentleman the Secretary of State, I hope the Committee will adopt the 12 years.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): After the observations that have fallen from the right hon. Gentleman the Member for South Edinburgh (Mr. Childers), who was himself responsible for the introduction of this provision in the Bill of last year, I think the Committee would be justified in accepting the Amendment. There is no doubt a general feeling throughout the country that the children who are employed in mines should not be so young as 10 years; therefore, on behalf of the Government, we accept the proposal with the very sincere hope that it will not inflict serious hardship on those mining industries which now employ children under 12 years of age.

Question put.

The Committee *divided:* — Ayes 7; Noes 262: Majority 255.—(Div. List, No. 253.) [4.10. P.M.]

Question, "That the word 'twelve' be there inserted," put and *agreed to.*

Question, "That Clause 4, as amended, stand part of the Bill," put, and *agreed to.*

Clause 5 (Employment below ground of boys between ten and twelve restricted).

Question proposed, "That Clause 5 stand part of the Bill."

MR. ARTHUR O'CONNOR (Donegal, E.): There is an Amendment standing in my name, in line 23, to leave out "twelve," in order to insert "thirteen."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): The Clause is to be omitted.

THE CHAIRMAN: It will not be necessary for the hon. Member to move the Amendment.

MR. ARTHUR O'CONNOR: I am perfectly satisfied.

Question put, and *negatived.*

Clause 6 (Hours of employment of boys over twelve below ground).

MR. MASON (Lanark, Mid): I beg to move in connection with this clause the Amendment which stands in my name—that is to say, in page 2, line 12, to leave out "fifty-four," in order to insert "forty-eight." It seems to me that 48 hours is quite enough for boys of from 12 to 16 years of age to be employed in working underground; and now that there is a general tendency towards reducing the hours of labour of boys of tender years, I think in this matter it will be beneficial to the country generally if boys whose constitution are not yet formed are not allowed to work in the pits and to breathe the bad air and coal dust for more than 48 hours in the week. There is a strong feeling in favour of reducing the hours of labour for adults—that is to say, in favour of reducing the hours from 54 to 48. In England, and in part of Scotland where accommodation exists, the hours have been reduced to seven hours a-day, or less than 54 hours in the week; but the boys are employed for longer hours than the men, because of the system of double shifts. I think it necessary to protect the boys from such a system as that; and I think they should not be sent to work

longer hours than the men. It appears to me that it is necessary that legislation should step in, in order to protect boys under 16 years of age, who are not able to protect themselves. I beg to move that for "fifty-four" we should insert "forty-eight."

Amendment proposed, in page 2, line 12, to leave out the words "fifty-four," and insert the words "forty-eight."—(*Mr. Mason.*)

Question proposed, "That the words 'fifty-four' stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think the hon. Member who has moved this Amendment can hardly have considered what the effect of it will be. We have not thought it worth while to disturb those clauses which are inserted in the Coal Mines Act of 1872 more than is necessary; and the hon. Member must remember that since the Act of 1872 was passed the Education Act has come into operation, and this will prevent any boy from working anything like such a number of hours as 54, unless he has passed his Standards and got his certificate. Under the Act of 1876, supplementing the Act of 1870, the rules for the employment of children are extremely stringent, and, as I say, prevent any boy from working anything like that large number of hours. No boy who, from the age of 10 years and upwards, has not obtained such certificate of efficiency, or of attending as the Act requires, can be employed at all or can be taken into any person's employment. The effect of these educational regulations is that boys of 12 years of age and upwards, who are employed underground, cannot, unless they are boys of exceptional ability and precocity, be employed anything like the number of hours mentioned in the clause. I do not say that boys of 12 or thereabouts cannot qualify themselves to work as full-timers. Of course, there are some boys of exceptional ability, who make remarkable, almost phenomenal, progress; but those cases would be very special ones; and I do not see why in such cases boys, who can distinguish themselves in that way, should not be allowed to work full time, and earn full wages, but in 99 cases out of 100, or in even a larger proportion of cases, the Education Act would, as I say, prevent boys working anything like the number of hours mentioned in this clause. I have never heard of those clauses as to the number of hours boys shall work under the Coal Mines Act of 1872 working hardship, or causing grievance in any way. For that reason, I thought it unwise to disturb the existing state of things, and I thought it desirable to leave the clause as it stood. I have never heard of any grievance existing by reason of this clause being in the Act; therefore, I hope the hon. Member opposite will not persist in his Amendment. If you lower the hours in the case of boys, it may be necessary, in the mines, to lower them in the case of other people; and I do not think that by legislation of this kind, which will go to hamper the management in fixing the hours of labour, that you will benefit either men or employers.

MR. PARNELL (Cork): The right hon. and learned Gentleman has sought to defend himself against the Amendment of the hon. Member by pointing out that, in the case of boys who have not passed the Standard, they will be sufficiently protected by the operation of the Education Act. But he has not sought to show that those boys of 12 years of age, who have passed the Standards, will be exempt from working the large number of hours that the hon. Member (Mr. Mason) objects to. In fact, he admits it in the case of boys who have passed the Standards, and have consequently shown a greater fitness and greater adaptability for other work than that which can be found at the bottom of the coal pit. These boys are not to be protected by law; whereas others who have not made so much progress in school are protected not by any provision in any Act dealing with mines, but by an enactment concerning education. Now, Sir, the Legislature has interfered repeatedly on behalf of young persons up to the age, I think, of 15, and on behalf of women. It has interfered repeatedly, and has limited their freedom of action on the ground that they are not free agents, and that they are unable to protect themselves. Boys of the age of 12 cannot refuse to go into a coal pit, if they are ordered to do so by their parents; and they cannot refuse if they are ordered to work there more than eight hours a-day; consequently they are not free agents. They are in my

judgment—and I hope it will be found in the judgment of the Legislature—entitled to special protection; they stand in the same category that children and women do under the Factory Acts. The Legislature has distinctly, by enactment, over and over again, provided that such persons shall have special protection, and that they shall not be left to the ordinary operations of supply and demand. But the converse is the case with respect to boys employed in coal pits. It is not the custom for any grown man to work more than eight hours a-day. They are not protected by the Legislature; but they simply refuse to do it. No miner will work for more than eight hours in any coal mine or metalliferous mine, unless he gets very handsome pay in respect of overtime. Why, then, should you compel people who admittedly, by repeated action of the Legislature, stand in need of special protection — why should you compel boys of the age of 12 to work more than eight hours a-day? I ask what are the practical arguments which can be advanced in favour of compelling boys of the age of 12 to do what you cannot compel men to do, and which men in your experience throughout the whole of the country have invariably refused to do? If this Amendment is adopted, will any coal mine be brought to a stop? Will any mine be impeded in its action—will the output of any man be seriously lessened by preventing boys at the age of 12 from working more than eight hours a-day? Why do not men work more than eight hours a-day at the bottom of the pit? Simply because it is physically impossible, and because, although you adopt all the provisions which science gives you from year to year in the way of better ventilation, yet the air is so bad, and the positions which have to be taken up in the mine are so cramped and confined, and its dangers are so great, and the stress on the minds and bodies of the workers so manifold, that it is impossible for them to work more than eight hours a-day. Grown men cannot work for more than eight hours in a coal mine; why, then, should you compel boys to do so? [Mr. MATTHEWS: We do not compel them.] The right hon. and learned Gentleman says that the Government do not compel them; but he must know very well that anything the Legislature does not protect a boy from being required to do, he is practically compelled to do. He is not a free agent. Where, I ask, is inconvenience likely to arise through the adoption of this Amendment? Where is the loss likely to come to any of your great industries from the adoption of this proposal? I submit that the hon. Member who has moved this Amendment (Mr. Mason) has made out his case, and I trust the Government will reconsider the matter, and receive the Amendment in the same frank and candid spirit that they received the previous Amendment. It has not been shown—the right hon. and learned Gentleman has not even sought to show—that any harm will accrue to any coal mine through the adoption of this Amendment; and I ask for boys of 12 years of age that they shall be put in the same position of freedom from more than eight hours' work which is allowed to grown-up miners.

COLONEL BLUNDELL (Lancashire, S.W., Ince): When a boy goes down a coal pit, he conforms to the time of going down and coming up fixed by the managers of the collieries; the time is fixed from the period of his leaving the bank-top to his coming up again; and if the hours are shortened it might have the effect of interrupting the whole work of the pit. Boys are not put to any excessively hard work. They are obliged to leave their work some time before the expiration of the period for them to work, because they probably have to walk a long distance and to wait at the bottom of the shaft before they can come to the bank. If this Amendment were adopted it would cause considerable inconvenience. It would actually arrest the work in a pit very materially. I venture to argue that these boys do not suffer in any way, and I trust the Government will not accede to the Amendment proposed.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I beg to support, on behalf of my own constituents, what has been said by the hon. Member for Mid Lanark (Mr. Mason) and by the hon. Member for the City of Cork (Mr. Parnell). It seems that the employment of boys is not considered a grievance by hon. Gentlemen opposite. It most undoubtedly is in Scotland, and for that reason I have risen to say these few words in support of the Amendment. I

will not waste the time of the Committee, but will simply appeal to it not to insist, in the case of boys, upon an arrangement which the men have been able to abolish for themselves.

SIR JOSEPH PEASE (Durham, Barnard Castle): I am afraid the Committee is going to legislate too hastily upon this point. I fully admit the desirability of reducing the hours of labour of young persons; but in this case there are great practical difficulties. There are, of course, many more men than boys in our coal pits and in our colliery houses. Men grow up from boys, and boys are only boys, in our colliery accounts, from 12 to 16 years of age. Men are men from 16 to 60. Therefore, it is always a difficult thing in working a mine to have a sufficient number of boys, as compared with the number of men in the mine. In the next clause it is provided that the working hours shall be fixed from the hour of leaving the surface to getting back to the surface. Now, boys do not go down the pit with the first shift. They go down afterwards—an hour or two afterwards. Then, in many places, and certainly in the mines I am best acquainted with, they have to go along the workings of the mine often a very long way indeed, which occupies a considerable amount of time. Therefore, if you take their real hours of labour, they do not work anything like the period that the hon. Member for Cork has suggested. Then there are a great number of the boys who, although employed down the mine, are not engaged in hard work at all. A great number of them have nothing to do but open and shut doors. There are many places where a boy sits for hours in a mine with nothing to do but open and shut a door used for ventilating purposes, which is not required to be open or shut more than two or three times while he is down the pit. Then there are boys employed in driving ponies, and that is certainly not hard work. No doubt, there is harder work for them to do; but so far as the men are concerned, you have double shifts of men, and their work—coal hewing—is very laborious. It would injure the interests of both men and boys, at the present time, if you impose a shorter limit of time the latter are to work from entering the pit to returning to the bank.

MR. HOWELL (Bethnal Green, N.E.): I should be glad if the Government were to accept this Amendment in the same spirit in which they accepted the preceding one. It seems to me a strange thing that we should have heard across the House to-night the same sort of thing that we heard many years ago. That is to say, the sneering at the sentimental and humanitarian spirit which has dictated some of these Amendments. The fact is, that the same arguments that we found used in days gone by, when children of four years of age were permitted to work in mines—precisely the same arguments were addressed to us to-day on several of these points. It seems to me that it is an act of great cruelty to permit boys to go into the mine and to remain there longer than eight hours a-day. I am astonished at the hon. Baronet who has just spoken (Sir Joseph Pease), who says that boys may be in the pit, but without doing any very severe description of work; and I am astonished at his saying that this work does not involve hardship. I put it to hon. Members in this House whether being compelled to sit for a great number of hours in this Chamber, even without taking part in the debates, does not tire them out as much as if they had been speaking and voting? I think that the task and the pressure upon boys begin at the very moment they leave their homes to go to the pit, and that that pressure is not taken off until they return to their homes again. The amount of work the boys will have to do is not merely eight hours a-day—it will not be eight hours a-day if this Amendment is accepted—it will be eight and a-half hours and nine hours, or perhaps even more than nine hours, from the time the boy has to leave his home in the morning until the time he returns to it again. I hope we shall endeavour to curtail the long hours of work so far as regards boys, which means boys between the ages of 12 and 16. What I trust is that time will be given, and that inducements will be given, to boys of this tender age—that is to say, from 12 to 16—to provide themselves with scientific and technical education during the hours that they are away from their work. Anyone who has to work hard will know very well how incapable the mind of a boy is to

receive impressions from instruction of this kind when his energies have been exhausted by hard work during the day. I wish the Government would exercise something of that sentimental and humanitarian spirit which some hon. Members sneer at in others, and would accept this Amendment. I feel certain that though some of their Supporters may blame them for it to-day in Committee, and may probably vote against them if the Amendment is pressed on the Committee—I feel persuaded, I say, that presently the Conservative Party will find that this and the other concession they have made are among the reasons why they have been kept in power by a grateful country.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): There is one point which has not been brought thoroughly enough before the Committee, but which, it seems to me, should impress us far more than the question of eight hours' work. Those boys engaged in a coal pit may not be hard at work; but I know how extremely deleterious it is for young persons to be in the galleries of a mine, though they may be doing nothing, for though their work may not be excessive, they have to inhale the dust that pervades the place. I believe that eight hours are amply sufficient time to keep boys underground. Certainly 48 hours a-week is enough. We know that the boys are ordered down the mine and that they have no choice in the matter. They obey the command of their parents, and though they do not immediately show a deterioration of health by breathing the coal dust in the mine, yet in the course of a very few years a very serious effect is often produced on their lungs.

MR. TOMLINSON (Preston): It is very easy to make the statutory conditions of labour such that an industry cannot be carried on in the country. I venture to think that there is a serious danger of hon. Members, who may be considered amateurs on this question of the employment of men, exercising pressure upon the Government in order to bring about a restriction upon labour. I do not desire to see men or boys improperly employed in connection with collieries; but I doubt very much whether in many parts of the country, the work of the collieries could be carried on if greater restrictions were imposed than are already in operation, and that will come into force under this Bill. It must be borne in mind that we have to contend with the whole of the world, and this work which, in other countries, is not bound by anything like the amount of restriction that is imposed here. To my mind, it is impossible to accept any further restrictions than are proposed in the Bill, and I therefore hope the Committee will not agree to this Amendment.

MR. DONALD CRAWFORD (Lanark, N.E.): I think it is impossible to leave such arguments as those just addressed to the Committee by the hon. Member who has just sat down without an answer. The hours of labour—the restrictions as the hon. Member called them—are simply a question of money. If it is necessary to employ a larger number of boys, they can be got; and if it is necessary to pay more money for this work that the boys do, it could be paid. The question is whether if ten hours a-day is too much work for a man in a coal pit, young children should be compelled to work so long? The question is simply one of physiology, and nothing else, and I say that there is no answer to be made to the objections which have been raised to the hours contained in the clause. If hon. Members on this side of the House say that there are not enough boys to serve the larger proportion of men, and that, therefore, the number of men being so large, the boys require to be employed longer hours than men, I say that that is an inhuman argument. Let the masters pay for more boys or let them pay other people to do the work.

SIR JOSEPH PEASE: I am sorry to have to speak again. The hon. Member (Mr. Donald Crawford) talks about paying more money; but I would point out to him that the difficulty has been to pay money at all in the coal trade. The difficulty, in many cases, has been to keep the pits going three days in the week. I submit that if we had to pay more money, we might just as well close our collieries. I know several firms who have only done two-thirds of their ordinary work during the last two or three years, and if more money is paid in order to bring more boys into the mines, it means that the cost of production will be increased and the ability to compete in the market decreased, and that the

men will get less work; because the mine owners cannot employ additional work at additional cost. As to the humanitarian part of the question, practically, the boys are not kept 54 hours in the mines. There is hardly any work at all done on Saturdays; and if there is, it is only a short day. I declare that we should make the bad times which the coal trade is going through still worse if we accepted this Amendment.

MR. MASON: There are other causes, perhaps, which are at work to make the mineowners and masters feel that the operations of mining are not profitable, apart from the wages which are paid to the poor men and the boys, and I think that they should look for those causes elsewhere. It is not necessary to go into these matters now, the question before us being simply one of the health of the rising generation. The question is, whether boys in the coal districts should be allowed to work more than eight hours a-day, and whether longer hours or not injures the constitution of the rising generation of the coal-mining community. Anyone interested in the coal-mining districts has only to go and look at the men to form an opinion as to the unhealthiness of the occupation to which they have devoted their lives. At 40 years, these men are practically done, in consequence of the injurious nature of the work they have to perform. Well, I maintain that it is the duty of the Legislature to protect boys, who are not responsible for their own actions, from an injurious occupation of this kind, until they are, at any rate, 16 years of age. It is the duty of the Legislature to protect them in order to enable them to take better positions in society, and to enable them to last for a longer period than 40 years. Is that not an economical argument for the country if measures can be adopted which can enable colliers to live for a longer period than 40 years? I must insist upon taking a Division upon this Amendment, which, I think, is a most important one, and I trust the Committee will support me. The Government, I think, will do well to weigh the importance of the question, which is one important, not only to the mining district, but to the country generally.

MR. ARTHUR O'CONNOR (Donegal, E.): No doubt the profit of the coal-owners is to be found in running their concern as cheaply as possible, and the younger he can get his men the lower will be the scale of wages. The other charges he has to consider are the royalties to be paid for the coal gotten, and also other charges. Now, the fixed charges, whatever the amount gotten may be, are not easily reducible, and the royalties are paid so much a ton, but those royalties are merged in the dead rent. [*Interruption.*] Yes, in this country the royalties are merged in the dead rent, whatever the amount of the royalty may be if it be below a certain minimum. The fixed charges, I say, are not easily reducible; and when, therefore, the coalowners have to economize, what is it that they press upon? Why, they press upon the flesh and blood which they employ. I maintain that it is the duty of the Committee to protect those people who are at the mercy of the coalowners.

MR. BURT (Morpeth): I have always contended myself that adult miners are quite capable of protecting themselves; therefore, I have only supported this legislation as regards boys and females. The case of boys, as the hon. Member for Cork (Mr. Parnell) has pointed out, is very different to that of the men. I know something by experience as to boys going into mines at an early age, and working for 12 or 13 hours in a day. One of the things I have cared most for since I grew up to adult life was the putting an end to that system, or its limitation as far as possible. I am glad, therefore, that this discussion has been raised. I think there is great force in what was stated by the hon. Member for Cork, that every argument in favour of limiting the hours for the men is intensified in force when you come to deal with the case of boys. The men protect themselves by their unions. They will not work more than eight hours a-day wherever they are well organized. It is only in districts where they are disunited that they work for longer periods. At the same time, in dealing with these matters, there are questions of great difficulty to face, such as have been pointed out by the hon. Baronet the Member for the Barnard Castle Division of Durham (Sir Joseph Pease). It is quite true, also, that in the case of the boys the labour is much lighter than in the case of the men; and in the Northern Counties especially we

have what is known as the double-shift system, where there are two shifts of men and one shift of boys, the boys going into the mine at a later hour, and working about 10 hours. Now, I myself would not hesitate to say that that is a very bad system, and I would gladly vote for a limitation, even to the extent of eight hours a-day. It is fair, however, to say that the whole system in the North of England is based upon this practice, and that it has now gone on for a great number of years. The men are thoroughly well organized. There has been no agitation at all with regard to this of late years; and so far as my constituency are concerned—though I have no doubt that they would be glad to see the hours limited to eight hours a-day—they certainly have never pressed on me the desirability of urging upon Parliament the alteration of the hours to eight hours a-day. At the same time, there are, as I have said, great practical difficulties to surmount. It is notorious that the coal trade is in a very depressed state at the present time. That is particularly so in the North of England. This Amendment would add immensely to the difficulty of the situation; but nevertheless I feel so strongly upon the matter that, recognizing all the practical difficulties that are in the way, I feel I shall be bound to support my hon. Friend who has moved that Amendment, and to vote for him in the Division, leaving matters to adjust themselves as best they may.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): The authority which the hon. Member who has just spoken upon matters affecting coal mines is so great that it would make one hesitate before voting against him on a question of principle. But the Government have a great responsibility in this matter, and it seems to me that the hesitation the hon. Member has expressed imposes upon us the duty of not hastily adopting a change which the hon. Member himself says may be attended by very serious difficulties. This is not a question of individual profit so far as certain employers of labour are concerned, but it is whether a great industry shall be seriously impaired in its arrangements at a period when it is admittted that very great depression exists; and whether, also, colliers themselves should be put to great disadvantages by reason of the difficulty they would experience if an insufficient number of boys are employed. There is a desire on the part of all who are interested in the welfare of their fellow subjects to lighten the burdens of labour as much as possible; but there is also another duty imposed on us, and that is not to put difficulties in the way of the conduct of enterprises which, as I have suggested, are struggling with manifold difficulties. On the whole, it seems to me that we are bound to maintain the existing regulations until it is shown that they can be altered with advantage. Reference has been made to the long hours of employment of boys; but as I understand this clause it means that no boy can under any circumstances be employed for longer hours than 10 hours a day—that is to say, he must not be employed for a longer period than that from bank to bank. The boy must be on the bank again within 10 hours of the period at which he left it—that is admitted to be a very serious though a proper curtailment of the hours of labour. I feel the fullest sympathy with the views expressed by the hon. Member for Morpeth (Mr. Burt) and by other hon. Members who have spoken on this question; but, under all the circumstances of the case, we feel it to be our duty to support the clause as it stands.

SIR HENRY TYLER (Great Yarmouth): This is no doubt a question of considerable difficulty. I am connected with a large colliery and other works in South Wales, and I can quite corroborate what has been said as to the depression which exists in this branch of industry. Everyone knows that colliery owners have been for a long time working with very little, and too often absolutely without profit, and that, therefore, any additional burden laid on the colliery interest is a very serious matter to the country. But the difficulties we have experienced are not caused by the hours during which men or boys are kept in the mines. The question of profit is not whether boys should work 54 hours or 48 hours. We all know that the atmosphere of the coal pit is not a good one. But the real reason why our colliery industry is in this depressed condition is because we are foolish enough to compete too much with one another. We turn out too much coal,

and the effect is that the price of coal is lowered and all chance of reasonable profit is destroyed in the business. I consider that the question of keeping boys underground for more than eight hours a-day is one of such serious importance as affecting their health, that I, for one, would set it in the scale against the question of any small loss which may on this account be caused to the employers.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): Before the Government, by the help of their mechanical majority, defeat us in this matter, I wish to protest, on behalf of the miners in Scotland, in the most emphatic way I am able against the attitude they have taken up. All the arguments which have been adduced on the other side have been adduced from the capitalist point of view, and against labour. [*Cries of* "No, no!"] Yes; that is so. I listened to the arguments of the hon. Member for Morpeth (Mr. Burt) as to the manner in which he made up his mind upon this question on which he has a right to speak with authority, and I should have thought that his observations ought to have had some influence with Her Majesty's Government. But it seems that the habit of closure has now become inveterate. We may look for the interests of the working classes being neglected for discussions affecting their interests being stopped by the closure as the interests of the Irish people have been. The right hon. and learned Gentleman the Home Secretary seems to think that we in Scotland are in terror of more State supervision. All I can say is, that we in Scotland are not in the slightest terror of it, and that we look confidently for the time when the Government will take possession of the mines and machinery of this country, and work them for the benefit of the country, and not in the selfish interests of capitalists.

MR. JOICEY (Durham, Chester-le-Street): I have always hitherto been on the side of those who are anxious to shorten the hours of labour of those whom we employ; but I feel that I cannot remain quiet when such an important question as this is being discussed. I cannot but admit with regard to the mines, with which I am connected, that if this Amendment is accepted, it will lead to the curtailment of the employment of a considerable number of men in the two counties of Durham and Northumberland. Who are the boys who are employed in our mines? Why, they are the children of the miners themselves, and notwithstanding what the hon. Member for Morpeth (Mr. Burt) says, that the men can protect themselves by means of their unions, whilst the boys have no protection, I maintain that in actual practice the boys are also protected by the unions. Who influences and guides the boys? Why, their fathers and the representatives of the union with which the fathers are connected. The hon. Member has alluded to the system we have in working our mines in Northumberland and Durham—namely, that of double shifts. Now, that has been a system which has been in operation as long as I can remember, and I am satisfied of this—that if this Amendment is adopted it will probably lead to a large number of mines being worked by single shifts; and, if that takes place, I feel sure that the cost of working will be so increased that out of the mines in two counties, at least, one-third will have to be closed. Now, there is another fact I cannot overlook, and it must show the importance of this matter to those who are not practically acquainted with mines. From whom has this Amendment come? It has not come from those who are practically connected with mining; it has not come from those who represent the mining interest in this country; but it has come from people who are utterly unconnected with mines; and I would point out that, with the exception of the hon. Member for Morpeth, there has not been a single Member connected with the mining industry who has defended this Amendment. I allude more particularly to hon. Members who are the direct Representatives of the miners. Now, I must confess that there is something more to be said as to the employment of boys. The boys employed in our district are between 13 and 16 years of age; the younger ones are always employed at light work as drivers or as doorkeepers in order to protect the ventilation; and that it is only the older ones who are employed as putters. In the mines I know of I do not think there are any under the age of 15 who are employed as putters, putting being heavy work. I regret that I am obliged

to oppose the Amendment; but I do not in the interests of capitalists, but in the interests of those dependent upon capitalists. I feel sure that in opposing this Amendment I am simply looking at the interests of those who are employed by the mine owners of the two counties I have mentioned. The hon. Member for North-West Lanark (Mr. Cunninghame Graham) said he hoped to see the time when the Government would take up and carry through a Bill for the purpose of taking over the coal mines and the machinery of the country. Well, if the hon. Member will only bring in a Bill to that effect, I know scores of mine owners in the counties of Durham and Northumberland who will only be too glad to accept reasonable terms from the Government—2 or 2½ per cent on the capital they have invested—to hand over their undertakings to the State.

Mr. CHILDERS (Edinburgh, S.): Perhaps the Committee will forgive me for intruding myself upon them for a minute or two; but I wish to point out that this is one of the three or four great questions that we had to consider last year in preparing our Bill. We inquired into these matters very fully, and obtained information from many sources, especially from the miners; and my hon. Friend the Member for West Nottingham (Mr. Broadhurst) and myself came to the conclusion that it would be better not to propose a change in the law. I would point out the ground upon which we came to that conclusion. The fact is, that the miners, the owners, and the inspectors from different mining districts differ materially upon this matter. We found in Scotland that a large number of those interested in mining would prefer the time to be reduced to eight hours. I do not say that that opinion was universal in Scotland, but it certainly very largely prevailed. In the North of England an opposite opinion prevailed. I remember well the pains we took to ascertain the opinions of the miners of Northumberland and Durham, and some of the other North Country coal districts, and we found they were not in favour of the reduction to 48 hours. Under these circumstances, it occurs to me whether it is necessary to have a hard-and-fast line on this matter applicable to all the mining districts. I need not remind the Committee that coal mining differs materially in the way it is carried on in different districts; and what I would venture to propose to the Committee, and especially to the right hon. and learned Gentleman the Secretary of State for the Home Department (Mr. Matthews), is this—that we should now allow the clause to pass in the shape in which the right hon. and learned Gentleman proposes it, but that he should at a later stage bring up an additional clause giving power to the Secretary of State to reduce the hours to 48 in particular mining districts. If that power were given to the Home Secretary, he would be able, with the aid of the valuable body of men with whom he would consult, to distinguish between the districts in which the longer hours might be allowed to prevail and the districts in which the system of short hours should be established. If the Committee agree with me in that view, I would venture to urge it on the right hon. and learned Secretary of State. That would settle this controversy. He already possesses large powers in similar matters, and I think, by accepting this suggestion, it would be found possible to settle the matter in a manner satisfactory to all parties.

Mr. BARNES (Derbyshire, Chesterfield): In the Midland Counties we only make 48 hours in the week, but we do not work more than six hours on Saturday. The adoption of this Amendment would have a serious effect on the mining industry in those counties. Some hon. Members have remarked upon the impurity of the air in our coal mines. Well, all I can say is that in most of our mines in the Midland Counties the air is quite as good as it is in this House. The mines are better ventilated, and are freer from noxious gases.

Mr. MASON: If the Government are disposed to agree to the proposal of the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) I would suggest that it should be put in the converse way, in some such words as the following—

"48 hours, but the Home Secretary shall have authority to grant such hours to a district as may be thought desirable."

I speak for the mining districts of Scotland, and I say that if the Home Secretary had that power, he would be able to meet the views of those who raise complaints upon the point under consideration.

MR. MATTHEWS: Any proposition coming from the right hon. Gentleman the Member for South Edinburgh on this question deserves careful attention, and I am very glad to hear and consider it. This, however, is the first time the idea has been suggested to me, and as at present advised, I shall find great difficulty in giving effect to it in practice. I should be extremely reluctant to have this power conferred on myself personally. I should consider it a most onerous and disagreeable duty to have to say that in a particular district the hours of labour shall be shorter than in another district, or that they shall be longer in one district than in other districts. However, I quite feel the importance of the suggestion that our legislation should be adjusted to the varying conditions of the various parts of the country; and if the right hon. Gentleman will allow me to avoid pledging myself at present, I will pay very careful attention to the proposal he has made, and will see if I can frame a clause in accordance with his suggestion.

MR. CUNNINGHAME GRAHAM: I would ask the right hon. and learned Gentleman the Home Secretary if, in view of what has been stated on this question, he will see fit to introduce a clause into the Bill dealing with the working hours of adults as well as boys, and establishing a working day of eight hours for the miners throughout the Kingdom?

MR. ARTHUR O'CONNOR: It is true that many of the mining Representatives are loth to adopt the suggestion that the number of hours should be limited to eight per day. But in Scotland—in Lanarkshire, Ayrshire, Clackmannan, and Fifeshire—all the miners are in favour of eight hours for boys. The right hon. and learned Gentleman the Home Secretary assented to the idea thrown out by the right hon. Gentleman the Member for South Edinburgh, but did not say anything about the suggestion of the hon. Member for Mid Lanarkshire, which was that 48 hours should be taken as the nominal figure, but that power should be given to the Home Secretary to dispense with that limit and extend the working hours where the districts were suited to it, to 54 hours, or whatever might be convenient. No answer was given to that. What does the right hon. and learned Gentleman think of it—the Committee will be glad to know.

MR. HINGLEY (Worcestershire, N.): On behalf of the mining industry of Staffordshire, I wish to say that if this suggestion is adopted it will have the effect of materially interfering with the working of the mines in that county. In that county they all work single shifts of seven hours a day, and I venture to say that the effect of the Amendment would be to close the mines to a large extent. For my own part, speaking of Staffordshire alone, I should be content if the hours were limited to nine hours a day from bank to bank. That would give eight hours for work and an hour for meals. I submit that if the Amendment is adopted it will be injurious to the working miners of Staffordshire. I venture to say that there is not a single miner in Staffordshire who desires it, and if time is allowed they will, I am sure, express themselves against it.

MR. FENWICK (Northumberland, Wansbeck): It is said that the Representatives of the miners do not take part in the discussion, because they are loth to vote for eight hours a-day. The reason we have not spoken is that we consider the ground has been sufficiently covered by the hon. Member for Morpeth (Mr. Burt). If a Division is taken, notwithstanding the difficulties that may be in the way, I shall have no hesitation in going into the same Lobby with the hon. Gentleman the Member for Mid Lanarkshire (Mr. Mason) on this question. We have all along contended that 10 hours a-day was too extended a period for boys to be employed in mines. Any movement in the direction of reducing the hours, so as to bring them on a level with those adopted by adult miners themselves, certainly would have our fullest sympathy and heartiest support. As I say, I shall have no hesitation whatever in going into the same Lobby with my hon. Friend.

MR. CUNNINGHAME GRAHAM: As there seems to be considerable difference of opinion on this matter, I would suggest that this clause should stand with reference to Scotland alone. I think many will be inclined to support it who would not do so if it were made applicable to the whole Kingdom.

MR. PICKARD (York, W.R., Normanton): I would express a hope that the right hon. and learned Gentleman

the Home Secretary will not accept the suggestion just made, and make the law, so far as Scotland is concerned, different to that of the rest of the United Kingdom. We come here to plead for the whole of the United Kingdom. I consider that any change of hours in one county, making the hours of work different to those of another county, would be a very bad thing indeed. I trust the Government will not allow themselves to be committed to anything of that sort.

MR. HANDEL COSSHAM (Bristol, E.): I have had 40 years' experience in the working of mines, and I think I was the first to adopt the eight hours' system. We always worked eight hours when we worked double shifts; but when we worked single shifts the men applied to have 10 hours, so as to have a day and a-quarter. I would point out that to insist on eight hours in this Amendment would be to prevent the men having the day and a-half they applied for. I have considered the question with great care; I have watched the working of the different systems for 40 years; and I feel, from the experience I have had, that I cannot support the Amendment as it stands, though I have always approved of an ordinary working day of eight hours.

MR. W. ABRAHAM (Glamorgan, Rhondda): I should be sorry in this matter to see "a house divided against itself." I regret that we are placed in this position. As a matter of principle, I should have no hesitation in voting for the Amendment; but as it now stands its effect would be to disarrange all the colliery arrangements of the most important district of Monmouthshire and South Wales. The men there have not been agitating on this question. They have given us no instructions to provide this Amendment, and I should be very thankful indeed if my hon. Friend could see his way not to push the proposal to a Division at this moment.

Question put.

The Committee *divided*:—Ayes 171; Noes 81: Majority 90.—(Div. List, No. 254.) [5.20 P.M.]

Question proposed, "That Clause 6 stand part of the Bill."

MR. ARTHUR O'CONNOR (Donegal, E.): Before the clause is agreed to, I should like to point out to the right hon. and learned Gentleman the Home Secretary that at present the arrangement made for the limitation of employment of boys under ground is not the same as the arrangement made, under Clause 8, for the employment of boys above ground. I do not want to detain the Committee one moment longer than is necessary; but it is plain that there is some anomaly here, and I wish to ask the right hon. and learned Gentleman what he proposes to do, so that the work under ground shall not be more arduous or trying than that over ground?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): It is quite true there is an anomaly at first sight. The Bill, as it stands, admits of longer hours of labour for boys under ground than over ground; but it must be borne in mind that the maximum number of hours of labour of boys under ground is necessarily determined by the shifts of the men. In the case of boys working above ground, I am not quite sure whether it is not by accident that "thirteen" appears there. There is an anomaly here, and I do not know what defence in reason one can offer for it.

MR. ARTHUR O'CONNOR: The right hon. and learned Gentleman has admitted there is an anomaly, and says it is indefensible in reason and logic.

MR. MATTHEWS: Not in logic; I said in reason.

MR. ARTHUR O'CONNOR: Perhaps the right hon. and learned Gentleman will now intimate his willingness to reconsider the practical suggestion thrown out to him by the right hon. Gentleman the late Home Secretary (Mr. Childers)—namely, to take power in another clause to enable the Home Secretary to modify the existing general rule in regard to special districts, in order that where it may be possible to limit employment of boys under ground, the Home Secretary may do so.

SIR JOSEPH PEASE: It ought to be remembered that a boy who works under ground may spend an hour or an hour and a-half in going to and from his work; whereas a boy above ground is at his work directly he gets to the pit mouth.

Question put, and *agreed to*.

Clause 7 (Regulations as to employment of boys between ten and sixteen below ground) *agreed to*.

Clause 8 (Employment of boys, girls, and women above ground).

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to move to leave out the word "girls," in page 2, line 29. I do not know whether the Committee will think it convenient, upon this Amendment, to consider the whole question of the employment of women; it may, possibly, not be, seeing that the hon. Gentleman the Member for Morpeth (Mr. Burt) has an Amendment upon the Paper raising directly the larger question. The word "girl" is defined in this Bill to mean females between 13 and 16 years of age; and the Amendment I now move would, if carried, prevent the engagement of girls other than those now at work. Perhaps, Sir, I may be allowed one general remark. I should not have put down Amendments to this Bill had I not had a long practical experience in the working of coal mines. This is a technical matter, and I venture to think, with all respect to hon. Members, that we shall get the Bill through the Committee much more satisfactorily if we confine ourselves to the Amendments of those who have practical acquaintance with this great industry. I am heartily in sympathy with the remarks which fell from hon. Gentlemen below the Gangway with respect to the employment of women. Speaking, as I have said, from practical experience of coal mines, I do not understand how anyone can think it is fitting that women and girls should be employed on the pit banks. I am quite aware that some hon. Members opposite, who come from Lancashire, take a somewhat different view; but I think even they will admit that the facts are against them. I see, from a Return placed in our hands, that in 1873 there were 6,899 women employed on the pit banks in Lancashire; but that in 1886 there were not more than 4,131. These figures prove conclusively that the feeling of the population is against this employment; that this employment is, as an hon. Gentleman has said, "a doomed system." Reference has been made to the economical working of the mines, and, after all, the employment of women and children is closely connected with the question of economy. The hon. Gentleman the Member for East Donegal (Mr. Arthur O'Connor) spoke just now of "cheap," meaning by that "low priced," labour. But the hon. Member will agree with me that "price" is only one element in the cost of labour. Efficiency is just as important. You might have two men, one paid at 2*s.* 6*d.* per day and another at 5*s.* per day, of whom it would be perfectly true to say that the labour of the latter would be the cheapest. We coalowners know that the lowest class of labour is not the most convenient or economical. I refer to this subject because I am afraid from some remarks which fell from hon. Members opposite that they support the employment of women and girls purely on account of the lower rate at which they can obtain this labour. Of course, the Amendment I now propose deals with only a very small branch of the question of the employment of females. If my Amendment is accepted by Her Majesty's Government, which I am not without hope may be the case, it will only affect the future. The right hon. and learned Gentleman in charge of the Bill will see there is another Amendment standing in my name, to the effect that after the passing of this Act no girl shall be engaged. Not one of the 277 girls who are at the present moment employed will be affected by my Amendment. Under these circumstances, I press upon Her Majesty's Government the desirability of accepting what is so very small an Amendment. As I am extremely desirous not to take up the time of the Committee, I beg, without further remark, to move the Amendment.

Amendment proposed, in page 2, line 29, leave out the word "girls."—(*Mr. J. E. Ellis.*)

Question proposed, "That the word "girls" stands part of the Clause."

MR. F. S. POWELL (Wigan): I hope the Committee will allow me to say a few words upon this question, as it is quite impossible to separate it from the question of the employment of women. I must apologize to the Committee for rising again, considering the indulgence they have already accorded to me. Some hon. Members, however, have challenged the statement made by me, to the effect that there was no selection of the women who waited upon the right hon. and learned Gentleman the Home Secretary,

and also that they were entirely free agents in the matter. When the Committee grant me their indulgence, I feel the least I can do is to be accurate in my statements. I made the statement in question yesterday with full knowledge of the facts; but I thought it right, in justice to myself and in justice to those for whom I stand here to-day, to seek some corroboration of the statement. I have communicated with the person who organized the deputation. That person is not a tyrannical employer, but a gentle woman—namely, the wife of the present Mayor of Wigan. The first statement made was that the pit-brow women who waited upon the Home Secretary were sent by their employers. The best answer I can make is that the women are paying their own expenses, and that they are supplying any deficiency which may arise by weekly instalments. The real fact of the matter is, that the deputation to my right hon. and learned Friend was suggested by the women themselves, and did not emanate from their employers at all. The next statement made was that the women were selected. My answer on that point is simply this—that the selection was made by ballot. There was a ballot amongst the women, and the women who appeared at the Home Office appeared as the result of that ballot. I think the facts which I now state are a complete justification of that which I advanced, and a complete reply to the statements made on the other side. I do not at all complain of the tone of the remarks of hon. Gentlemen. The remarks were made with every courtesy, and I simply wish to set right the facts of the case. Then, the next point on which I wish to say a word is the character of the pit-brow women. I stated on Monday that their character was equal to that of those women employed in factories, and I repeat that statement now. I am entirely justified in what I said on Monday by every inquiry which I can make and by personal knowledge of the district. Many of the women who are employed on the pit bank on week-days take their places on Sunday in the schools; they are by no means of the character some people would have us believe. The next observation I wish to make has reference to the fruits of these women's industry. Some of the women who waited upon the Home Secretary stated that by their labour they are able to keep their parents from the workhouse. One of the women was the only child of her mother, and her labour on the pit bank has saved herself and mother from the disgrace of the workhouse. That is not the only instance of the kind. It is an example, and by no means an exhaustive example, of the condition of things in the mining districts. I certainly feel that the Committee will act with great hardship and severity if they interfere with the labour of these women. I will make but one observation more. There was no one more strongly in favour of this employment of women than Professor Fawcett. He was opposed to any interference, by legislation, with the employment of women, and he did not shrink from expressing his opinion strongly on the subject.

It being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Having been informed that many Gentlemen have come to town to watch the progress of this Bill, and to assist in its passing, I have thought I might be at liberty to alter the arrangement of Business I have previously intimated. I suggest that, instead of Supply, this Bill should be set down as the first Order of the Day to-morrow. I trust that the re-arrangement of Business I propose will meet with the consent of the House, and that to-morrow we may make considerable progress with the Bill.

Committee to sit again *To-morrow.*

MOTIONS.

ELEMENTARY EDUCATION ACTS AMENDMENT BILL.

On Motion of Captain Heathcote, Bill to enable children to earn exemption from school fees by regularity of attendance, and to amend the Elementary Education Acts in other respects, *ordered* to be brought in by Captain Heathcote, Mr. H. T. Davenport, Mr. Haldane, and Mr. Heath.

Bill *presented*, and read the first time. [Bill 295.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

Debate arising;

And it being Six of the clock, Mr. Deputy Speaker adjourned the House without putting the Question.

HOUSE OF LORDS,

Thursday, 23rd June, 1887.

MINUTES.]—PUBLIC BILLS—*Third Reading*—Pluralities Act Amendment Act (1885) Amendment * (127), and *passed.*

PROVISIONAL ORDER BILLS — *First Reading*—Gas and Water * (131).

Second Reading—Local Government (Poor Law) (No. 3) * (118); Local Government (Gas) * (119); Local Government (No. 2) * (120).

Committee — Report — Elementary Education (Christchurch) * (92); Elementary Education (London) * (94).

DUBLIN GARRISON.

MOTION FOR A RETURN.

EARL BEAUCHAMP, in rising to move for—

"A nominal Return of all cases of febrile and respiratory disease which have occurred in the Dublin Garrison since 1st January, 1881, distinguishing in each case the barracks,"

said, that their Lordships were aware that many cases of febrile and respiratory disease had occurred in the Garrison of Dublin within the last few years, arising, as he was informed, from the bad state of drainage of the barracks. That information might or might not be correct; but he had some grounds for believing that there was some foundation for the charge, inasmuch as expectations had been held out in the House of Commons more than once that some steps would be taken to alter the state of things which now existed. He knew how difficult it was to persuade Her Majesty's Treasury to make expenditure which many persons thought absolutely necessary. An eminent authority had said that if there was anything more fallacious than figures it was facts; but he (Earl Beauchamp) thought that, at all events, their Lordships ought to have the figures and facts put before them, when they could decide for themselves whether the deductions drawn from the circumstances of the case were or were not fallacious. His own impression was that these figures would disclose a very serious state of things, and one which Her Majesty's Government ought to deal with without delay. He might be told that the Return he asked for would be very voluminous; but his reply would be that the very fact that a Return of such a nature would be voluminous was a sufficient reason for his making the Motion. If cases of respiratory and febrile disease were so numerous and important as to cause a voluminous Return, he thought their Lordships should be in possession of the facts of the case, in order that Parliament might know what steps should be taken in the matter.

Moved, That there be laid before the House—

"A nominal Return of all cases of febrile and respiratory disease which have occurred in the Dublin Garrison since 1st January 1881, distinguishing in each case the barracks."—(*The Earl Beauchamp.*)

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, that the Return would certainly be bulky and inconvenient for analysis; but he did not suggest that it would be voluminous from the number of cases. It would be difficult of analysis from the number of types included within the terms of the Motion. In *Nomenclature of Diseases*, issued by the College of Physicians, there were, under febrile disease, 28 types of disease, many of which had no relation to the condition of the barracks, such as eruptive fevers known to depend on specific poisons. Under the head of diseases of the respiratory system there were over 100 varieties. These Returns could only be got out of the admission and discharge books of each hospital in Dublin; but the Army Medical Regulations, paragraph 1,249, permitted hospital records of this character to be destroyed after they had been in use for four years. He could not admit that any of these diseases were necessarily connected with the condition of the barracks, unless it could be shown that the precincts of the barracks resorted to by the soldiers were entirely free from them. The Return, made as suggested, would be bulky, and, as he had said, very inconvenient of analysis.

There was no desire to conceal anything from the public. If the noble Earl preferred a Return in the form moved for, he certainly would not refuse; but it occurred to him that if the noble Earl would confer with the Director General of the Army Medical Department the Return might include all he desired, and be in a far more convenient form for analysis. As considerable interest had been taken of late in the sanitary condition of barracks, he begged to detain their Lordships a few moments longer, to explain what had been done and was being done to secure healthy lodging for troops. In consequence of the recommendations of the Royal Commission for improving the sanitary condition of hospitals and barracks in 1857, a school and Professor of Hygiene had been established, for the express purpose of training officers of the Medical Department for the duty of inspection of barracks as to their sanitary condition. The Royal Commission's recommendations also resulted in the appointment of a Committee, which examined and reported on every station in the United Kingdom, and consequent on that a Standing Committee was appointed, entitled the Army Sanitary Committee, upon which were such sanitary experts as Sir Robert Rawlinson, Captain Galton, and Dr. Sutherland. Dr. Sutherland had been on both the Royal Commission and the Committee of 1859, and was now on the Sanitary Committee, and was in daily communication with the Director of Works and Barracks. To this Committee all important questions on new buildings were referred. The regulations insured that at headquarters both that Department and the Medical Department should express their opinions on the condition of any building complained of. He was not satisfied, however, that the regulations insured communication between the Commandant of the Royal Engineers and the Sanitary Officer at the place complained of. The Director General of the Army Medical Department would always refer to the Sanitary Officer of the station; but that appeared to be an unnecessarily dilatory process, and he had taken steps to secure communication—which practically did take place in most cases—being secured in all cases by regulation. This appeared to him to be the only link wanting in a very complete chain, and he thought the system which began in 1857 had been most successful in securing the better health of Her Majesty's Forces in barracks. He would give a few figures to prove what he said. The death-rate in the Army in 1857 was 17·8 per 1,000. It was, in 1885—the last year for which Returns were worked out—6·68 per 1,000, and that again was a reduction on the average rate of the previous 10 years, which was 7·20 per 1,000. He was sorry he could not add a late average for the civil population. It was difficult to work out these statistics for corresponding ages to those of soldiers, and to make allowances for the modifying effects of invaliding. He could, however, give some interesting figures as regarded enteric fever. The proportion per 1,000 of deaths from enteric fever among the civil population in England and Wales between 15 and 45 years of age, and among soldiers at home during 1883 were—civil, ·30 per 1,000; military, ·24 per 1,000. These figures were worked out by Dr. Marston to illustrate a point in one of his lectures, and not with reference to any particular question of sanitation. But he could give their Lordships a comparison of the mortality rate per 1,000 from all causes among the civil population between the ages of 20 and 40 in the Dublin registration district and among the military population in the Dublin district. In 1882 it was for the civil population between 20 and 40 years of age 12·7, for the military 7·55; in 1883, civil 13·9, military 6·48; in 1884, civil 13·7, military 7·20; in 1885, civil 13·0, military 6·46; and between the years 1875-84 the average death-rate per 1,000 was civil 14·1, military 6·35. These figures, he thought, would show that the mortality among our soldiers was not nearly so great as the mortality among the civil population. The recommendations of Lord Sandhurst had all been approved, and were being carried out as fast as was practicable. The Secretary of State for War had approved of an examination of the sanitary state of the Royal Barracks by Sir Charles Cameron, head of the Public Health Department at Dublin, and Dr. Grimshaw, Registrar-General of Ireland, in conjunction with the principal medical officer and commandant of the Royal Engineers, which examination was now in progress. As regarded the Royal

Barracks, he might remind the noble Earl that barracks were about to be erected on another site in Dublin, and £15,000 had been taken for that service in the Estimates for the present year. As soon as the whole of the ground was obtained—there had been some legal difficulties with regard to the title of a part of it which had delayed the settlement of the plans—Cavalry Barracks would be erected, and the Royal Barracks, Dublin, with regard to which there might possibly be some suspicion of insanitary condition, would be remodelled, and used only for Infantry, the old barracks at Linen Hall being vacated. In the barrack annual estimates of this year a sum of £1,089 was taken for specific improvements at the Royal Barracks, and £600 for various sanitary purposes in the Dublin barracks generally. The sanitary condition of our barracks, and the health of our soldiers, had been for more than 20 years a matter of very considerable interest to the Military Authorities, and they had paid every attention to it. The figures showed that a considerable improvement in the sanitary condition of barracks had been the result of their labours.

THE EARL OF CARNARVON said, he did not think that the mortality amongst the civil population had anything to do with this matter. It was evident that the mortality amongst the lower classes in Dublin was likely to be greater than amongst the soldiers; but, however it affected the question, the sanitary condition of the barracks in Dublin was not what it ought to be. He was speaking of facts which were notorious on the spot, when he said that if the noble Lord (Lord Harris) would look at the correspondence which had taken place on this subject, he would find that the state of the barracks had been condemned in the strongest terms by successive Secretaries of State. Mr. W. H. Smith, when Secretary of State for War, had had occasion to write of it and speak of it. The Under-Secretary had just stated that there was in connection with the Royal Barracks possibly a suspicion of insanitary condition. Suspicion was not the word that ought to be used. It was a matter of fact. The question was one of a most serious character, and he felt sure the present Secretary of State for War could not intend to give it the go-by. He sincerely trusted that the Government would apply themselves to this particular point, which deserved their earliest attention.

LORD HARRIS said, he could assure their Lordships that there was not the slightest wish on the part of anybody to conceal from the public the sanitary or insanitary state of the barracks used by the Army; and it was the anxious endeavour of the Government to place them in the best sanitary condition possible at the earliest opportunity. He repeated that although cases of disease might arise in the barracks, it did not necessarily follow that they had been caught in the barracks. The fact was that both in the Press and in Parliament some capital had been made out of cases of illness, some of which were attributable to a bad condition of health due to causes other than the condition of the barracks.

VISCOUNT POWERSCOURT said, that as one intimately acquainted with Dublin, he fully endorsed all that the noble Earl the late Lord Lieutenant of Ireland (the Earl of Carnarvon) had said as to the state of the Royal Barracks. He knew as a fact that they had been for many years in an insanitary condition, and he hoped the Government would adopt stringent measures to deal with the evil.

EARL BEAUCHAMP said, he was obliged to his noble Friend (Lord Harris) for agreeing to his Motion; but, with great respect to him, he would prefer to have the Return in the form in which he (Earl Beauchamp) had moved for it. He did not wish to leave it to the military authorities in Dublin to decide whether or not a particular case of fever arose from bad drainage or not. The noble Lord had warned them that many diseases which were treated in the barracks were not contracted there. That was perhaps a truism; but, on the other hand, if a soldier contracted a fever outside the barracks, and went in to die, it was possible that another might contract one inside and go outside to die. One class of case might be set against the other. However, he desired that their Lordships should have the facts before them. If it turned out that the barracks were in an admirable state, no one would rejoice more than he. He failed to see how the statistics relating to the whole of Her Majesty's Army bore on the case

he had brought before their Lordships. It must be borne in mind that he had not referred specifically to the Royal Barracks in Dublin. There were other barracks there to which his observations would apply—the Richmond Barracks, for instance—and he trusted attention would not be diverted from those barracks, for the whole of the barracks in Dublin generally were in a bad state. He hoped their Lordships would agree to the Motion.

Motion *agreed to.*

DEFENCES OF THE EMPIRE—VOLUNTEER COAST DEFENCE—THE NAVAL VOLUNTEER HOME DEFENCE ASSOCIATION.

MOTION FOR PAPERS.

EARL COWPER, in rising to move, for—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty as to sanctioning a scheme for obtaining and arming a steamer for the use of the local Royal Artillery Volunteer Force at Brighton,"

said, they had previously had some very interesting and important debates upon it. About two years ago, he (Earl Cowper), himself, drew attention to the matter in that House; and it was then the opinion that these towns would in case of war be in the utmost danger. The question might well appear to have only a local bearing, but the fact was that it was connected with a very great and important subject—our seaport defences. There could be no doubt that an unarmed and unfortified coast, towns could be easily captured by an enemy, and a ransom, exacted. The rules of maritime warfare were even more favourable to belligerents than to those of warfare on land, and not only would an enemy be perfectly within his right in taking an unfortified town, but both the French and the Russians had declared it was their intention in case of war with England to pursue that plan, and take advantage of the undefended state of many of our seaports. The whole question of coast defence was such a large one, that he did not intend to enter into it; and he would confine himself to that part in which Volunteers could be made useful. There was a strong feeling among the population of the seaport towns that they could take part as Volunteers in any movement for the defence of their towns. It would be remembered that when the military Volunteer movement was started in 1859, it was coldly looked upon by the Government, and it met with a good deal of opposition and ridicule from some sections of the public. But all was overcome by the spirit of the Volunteers, and the Force had become one of the recognized Forces of the country, and one upon which we all calculated as an important element of our defence in case of invasion. He wished that something of the same kind should take place with regard to our Naval Volunteers; but it seemed as if it would require something like the actual imminence of war to call forth a similar feeling in their favour, and the only danger was that the importance of Volunteer Naval organization might be recognized too late, as war in these days came on very quickly. Anyway, there could be no doubt that the Naval Volunteers also might be greatly increased in numbers, if some encouragement was given to the movement. The general question, however, was a larger one than he intended to go into, and he would confine himself to that portion of it which concerned boats. No body of Naval Volunteers could be of any use at all unless provided with boats, either for gun practice or torpedo practice, and there were only three ways in which boats could be provided. It had been suggested that they might be built and supplied by the Government; but he was afraid the Government was unwilling to provide them. The Naval Volunteer Defence Association, of which he was President, had tried to induce the local Volunteer Forces to buy or build boats for themselves; but there was a general remonstrance that this was a matter that should be done by the Government. A third suggestion was that boats should be borrowed, and thereupon several patriotic shipowners offered to meet them; and at Brighton the loan of a steamer was obtained. In a discussion in this House two years ago mention was made of the association named, and of its action in this matter, and the then Lord Privy Seal, on behalf of the Government, was understood to promise the encouragement of the Admiralty, but when application was made for the loan of a gun for use on board the Brighton steamer, the association received a short, dry answer, amounting to what he would term "a tremendous

snub," and couched in such terms as to make some of their members feel that their work was at an end and that they might as well dissolve at once. But as they had received support from the public, who had an interest in the matter, they did not like to dissolve without making a further effort and giving publicity to their action and its want of success. This was his excuse for bringing the matter before their Lordships. This test case was one of some importance, and he brought it forward partly to make the matter public, and also that the facts might be in the possession of Members of that House who had interested themselves in the subject of coast defence. He could hardly suppose the Papers would be refused, and if he did not get much support now, he should take another opportunity of calling attention to the subject when their Lordships might have given it further consideration.

Moved for—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty in sanctioning a scheme for obtaining and arming a steamer for the use of the local Royal Artillery Volunteer Force at Brighton."—(*The Earl Cowper.*)

VISCOUNT SIDMOUTH said, he thought the House and the country were much indebted to the noble Earl for the manner in which he had taken up the question. The question of coast defence had been before the country for a long time; Government after Government had been questioned on the subject and had made promises, but nothing practical had been done; the result being, that this great naval country left the defence of its seaports in the same state it was in 20 years ago. Considering the success of the military Volunteer movement, it was surprising that this naval country, with a great population on the sea coast, should have done so little to organize Volunteers for coast defence. He made special inquiries two or three years ago, and found that at many ports large bodies of men were waiting for the Government to encourage them, and to assist them, with guns and officers, which could not be obtained unless the Volunteers received the practical support of the Admiralty. It was impossible that Naval Volunteers could drill without guns, any more than Military Volunteers could practise with sticks instead of rifles. We should have some regard to what had been done in other countries. The sea-coast population of France were available to the extent of 180,000 men for the defence of its shores. There was nothing that affected the naval supremacy of this country so much as the knowledge that the coast of the country was in a proper state of defence, and that the Navy itself could be set free to deal with any hostile force. We could have any number of trained Naval Volunteers, had the Admiralty thought that desirable; but successive Boards of Admiralty had failed to take up the question of Volunteer organization. He was informed that Naval officers generally were against the movement, although he knew that several were not. Admirals who had inspected some of these local corps had told him that they were in an admirable state, and quite capable of doing justice to the movement. If Naval officers were now against this Volunteer movement, that was precisely what happened in the case of the Military Volunteer movement some years ago. Military officers at one time looked down upon the Volunteers; but the other day Lord Wolseley told him that military opinion had been entirely changed by what the Volunteers had done. The same thing would happen with regard to the Naval Volunteer movement, if the Government would give it the support to which it was entitled.

THE EARL OF NORTHBROOK said, that he was glad to support the noble Earl who had taken up the Naval Volunteer movement. The Association of which the noble Earl was Chairman wished to try an experiment. They believed that they could provide a suitable ship, and all they asked the Government for was the loan of a gun for the purpose. From the exceedingly curt answer of the Government it might be supposed that the matter had been brought before the Admiralty unsupported by any Naval authority; but that was by no means the case, for the proposal was supported by Rear-Admiral Colomb, who was well-known for his ability, his knowledge of the Service, and his study of modern appliances. It was a very moderate request that the Association made, one that would cost the Government nothing, and as it was supported by a competent Naval authority, he hoped the Board of Admiralty would reconsider the answer

which they had given in this matter to his noble Friend, and that they would not throw cold water on a movement which was in itself a very laudable one, and which might, in time of war, be of very great value in the defence of the ports of this country.

THE EARL OF HARROWBY said, that he had heard the statement of the noble Earl opposite (the Earl of Northbrook), as to the reply of the Admiralty to the request for aid, with some regret. Two years ago when he (the Earl of Harrowby) had himself replied to the noble Earl on behalf of the Admiralty, he had said that they would do all in their power to assist the object of the Coast Defence Association. In saying that, he could assure his noble Friend he spoke not on his own responsibility, but after a long conference with the present First Lord of the Admiralty, and with the then Minister of War. What he said was deliberately said. Their policy then was to encourage as much as possible local exertions in this matter. It was held that it would be impossible for the Government of the day to undertake the vast expense involved in defending the commercial harbours of the country and its seaports, but a strong appeal was made to the patriotism of the localities. Some time after that he was instructed to say that the Admiralty would do all in their power to encourage the local spirit, and he could not now believe that it was intended to change that policy. The country, he thought, had a right to know at once whether Naval men had altered their opinion as to Naval Volunteer defence, and whether there were any grave reasons against it. If there was no great objection to the production of the Papers asked for in the Motion, they should be produced, though it would be well if the Motion were withdrawn.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, that his noble Friend's Motion had not attracted the attention which it ought to have attracted at the Admiralty, and he had had no communication from the Admiralty on the subject. He felt much too keenly the difference between the opinion of a civilian and a naval or military man to enter into the question to which his noble Friend had drawn attention. He had no doubt of its importance or of the motive which animated him in drawing their attention to the subject; but he must ask him to defer it to another day, when he would have an opportunity of communicating with Lord George Hamilton. Probably his noble Friend would rest satisfied with having drawn attention to the matter, and would withdraw his Motion. Should he do so, the Government, in the future, would find him an opportunity for again raising the question.

EARL COWPER said, he was quite willing to defer the Motion.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 23rd June, 1887.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Education (Scotland) Acts Amendment (No. 2) * [242].

Committee—Coal Mines Regulation [130] [*Second Night*]—R.P.

Considered as amended—National Debt and Local Loans * [266].

PROVISIONAL ORDER BILLS—*Report*—Metropolis (Cable Street, Shadwell) * [277]; Metropolis (Shelton Street, St. Giles) * [278]; Oyster and Mussel Fisheries * [279]; Pier and Harbour (No. 2) * [276].

Third Reading—Tramways (No. 2) * [271], and *passed.*

QUESTIONS.

CHARITY COMMISSIONERS—JUDD FOUNDATION, TONBRIDGE.

SIR JULIAN GOLDSMID (St. Pancras, S.) asked the Vice President of the Committee of Council on Education, with reference to the statement made by him on the 19th May, What is the result of the communication between the Charity Commissioners and the Skinners' Company respecting the establishment of a second grade school at Tonbridge?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The Charity Commissioners have communicated with the Skinners' Company on the subject of the Memorial referred to in the answer given on the 19th of

May, and have suggested a conference with the Company. No time has as yet been fixed for the proposed conference; but it is expected that an appointment for the purpose will shortly be made.

WAR OFFICE—QUEEN'S REGULATIONS AS TO THE "FIRE PICQUET"—FIRE PICQUET AT NETLEY.

MR. T. P. GILL (Louth, S.) (for Mr. T. M. HEALY) (Longford, N.) asked the Secretary of State for War, If it is in accordance with the Queen's Regulations that men detailed for "fire picquet" must remain in barracks for a period of seven days, and answer their names at 6 o'clock in the morning, and 10 at night; whether such is the case at the Royal Victoria Hospital, Netley; if steps will be taken to alter this regulation; what is the usual period for officers commanding corps and regiments to be on one station; and, under what circumstances does their removal or transfer take place?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The Queen's Regulations require the appointment of a fire picquet in every barrack or encampment; and obviously, if they are to be of use, the men composing it must not be far from the points where fires may break out. The term of service in the fire picquet is not laid down by Regulation, and must depend on the number of men available by way of relief; but the longer one picquet serves the longer it will be before another tour of fire duty comes round. The times held to be convenient at Netley are as stated in the hon. Member's Question. As a rule, regiments of cavalry and battalions of Infantry remain two years at a station at home. Movements are necessitated by foreign reliefs, and by the desirability of giving each corps a tour of service, while at home, at Aldershot, or some other camp.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE NAVAL REVIEW.

ADMIRAL MAYNE (Pembroke and Haverfordwest) asked the First Lord of the Admiralty, Whether it is the intention of the Admiralty to embark the officers at present studying at Greenwich on board different ships for the Naval Review; and, if so, whether it may be made optional to them, in view of the great hardship of obliging those officers who are working hard for first-class certificates, to break off in the middle of their studies?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): It is the intention of the Admiralty to employ the officers at present studying at the College at Greenwich in the different ships to be commissioned for the Naval Review. There will be no break in the middle of their studies, nor will the usual time of preparation for the examination be curtailed. It is not intended to make their employment optional.

RAILWAY AND CANAL TRAFFIC BILL—CONVEYANCE OF TOWN REFUSE.

MR. O. V. MORGAN (Battersea) asked the Secretary to the Board of Trade, Whether, having regard to the fact that a clause was inserted in "The Caledonian and Scottish Central Railways Amalgamation Act, 1865," compelling the Railway Companies therein mentioned to convey town refuse at a fixed rate, and in view of the great importance both to town authorities and to agriculturists of such refuse being conveyed into the country at a cheap rate for the use of farmers, the Board of Trade will re-consider their decision not to introduce a clause dealing with the subject in the Railway and Canal Traffic Bill now before Parliament?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Board of Trade regret very much that they do not see their way to proposing such clauses as the hon. Member contemplates; but it is competent to him to move such a clause if he thinks fit, and the Board of Trade will give it careful consideration.

NAVY—THE NORTH AMERICAN STATION—TORPEDO BOATS FOR HALIFAX.

ADMIRAL SIR EDMUND COMMERELL (Southampton) asked the First Lord of the Admiralty, If it is intended to carry out the policy of the Government, as indicated to the Commander-in-Chief on the North American Station in July, 1885, and keep at Halifax four first-class torpedo boats;

if so, when it is proposed to commence the sheds which are absolutely necessary to insure their preservation during the winter; and, if he is aware that drawings and estimates for the sheds have been sent home 18 months ago, and the estimated cost one-third of the Bermuda estimate for the same number of boats?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): It is intended to send out two first-class torpedo boats to Halifax, instead of four, as originally contemplated, as soon as the necessary storage for them can be provided. The Commander-in-Chief on the station has been directed to report the best arrangement that can be made. The estimate sent home was not considered satisfactory, and could not be accepted; it has been considerably altered on re-consideration. The Bermuda estimate was certainly higher than that sent from Halifax; but it is not intended to carry out the arrangement therein proposed, as it has been decided to accept a less expensive method for the protection of the boats from weather.

MAD DOGS—THE RABIES ORDER OF 1886.

ADMIRAL SIR EDMUND COMMERELL (Southampton) asked the Secretary of State for the Home Department, Whether he is aware of the anomalous manner in which the Rabies Order of 1886 is applied by Local Authorities, especially as instanced in the case of the extensive suburbs of the Borough of Southampton, which are in the County of Hants? In the borough the Order is not in force, in Hants it is; so that, owing to the boundary in many places of the two districts being an artificial one, dogs may roam about one side of a street unmuzzled and not under control, whilst on the other side of the street it is an offence (for which many persons have been fined) to allow dogs to be unmuzzled or not under control.

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, the Order of 1886 enabled Local Authorities, from time to time, to make Regulations as they thought fit. Such Regulations, when made, only applied to the district of the Local Authority by whom they were made. The anomaly referred to in the Question was apparent; but there were no means of avoiding it, as he had no power to alter the boundaries of Local Authorities.

THE MAGISTRACY (ENGLAND AND WALES) — BURY ST. EDMUNDS' BENCH.

SIR WILFRID LAWSON (Cumberland, Cockermouth) (for Mr. Caine) (Barrow-in-Furness) asked the Secretary of State for the Home Department, If it is true that five gentlemen have recently been added to the Commission of the Peace for Bury St. Edmunds, three of whom are at present actively engaged in the sale or manufacture of intoxicating liquors, and that half the active members of the Bench of Bury St. Edmunds are now engaged in the liquor trade?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) in reply, said, it was quite true that five gentlemen had been added to the Commission of the Peace for Bury St. Edmunds. One of them is a member of a brewing firm; but none of the other four were engaged in the manufacture or sale of intoxicating liquors. The Lord Chancellor was not aware whether any of the other magistrates were so engaged.

INDIA—THE NIZAM OF THE DECCAN —CONCESSION OF MINING RIGHTS —THE RUBY MINES OF UPPER BURMAH.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, Whether an English Company has recently obtained, with the sanction of the Government of India, the concession of a monopoly of mining rights within the territories of His Highness the Nizam of the Deccan; and, whether the arrangement contemplated by the Government of India for the working of the Ruby Mines of Upper Burmah will create a monopoly in that Province?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): Yes, Sir; the English Company has a monopoly of such mining rights as it elects, prior to 1896, to take up on specified conditions. No arrangements for working the Burmese Ruby Mines are yet concluded.

WAR OFFICE (ORDNANCE DEPARTMENT)—THE NEW SWORD BAYONETS.

MAJOR RASCH (Essex, S.E.) asked the Secretary of State for War, Whether the sword bayonets now being manufactured at Enfield are of the same pattern as those to be made by Messrs. Wilkinson; and, whether they are subjected to the same tests?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): My answer, Sir, to both Questions is—Yes. If the hon. and gallant Gentleman will do me the favour to call upon me at the War Office, I shall be glad to give him all the information on the subject I can.

ROYAL IRISH CONSTABULARY—SERGEANT HENRY.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If, on the occasion of Francis Cooke being charged with presenting a revolver at Mr. Veich Simpson, Sergeant Henry said he was prepared to swear Cooke was sober; whether Cooke is now permitted to carry fire-arms; whether Sergeant Henry charged Mr. Veich Simpson a few nights afterwards with being drunk, while Constable Farrell appeared as plaintiff in the summons; whether Mr. Turner, R.M., at Petty Sessions, commented strongly on such a breach of discipline as putting the constable forward as complainant, the sergeant being the senior on duty; and, whether the Government intend to take steps, in accordance with the Constabulary Code, to remove Sergeant Henry from the district, if they still consider him fit to have charge of a station?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, he was unable to receive the necessary information to enable him to reply to this Question. It would be necessary to make local inquiries.

IRELAND—THE SCHULL (CO. CORK) TRAMWAY — MAJOR GENERAL HUTCHINSON.

MR. HOOPER (Cork, S.E.) (for Mr. HUNTER) (Aberdeen, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Major General Hutchinson, who recently inquired as to the discontinuance of running of the Schull (Co. Cork) Tramway, is the same person who, two years ago, on the part of the Board of Trade, inspected and passed this line; and, if so, will the Government cause to be made a careful and independent inquiry, by a different Inspector, into the causes that has led to the breakdown of the Schull Tramway and to the circumstances connected therewith?

THE SECRETARY TO THE BOARD OF TRADE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): As this subject concerns the Board of Trade, and not the Irish Office, perhaps the hon. Member will allow me to answer the Question. Major General Hutchinson, who was appointed by the Board of Trade to hold an inquiry under the Schull and Skibbereen Tramway and Light Railway Order, is the officer who, in 1886, inspected the railway and reported thereon. There is nothing in either his Report or in the circumstances which have since come before them which afford the Board of Trade reason for considering that any further inquiry should be held than that which General Hutchinson has recently conducted. I shall be glad to present the Report on the recent Inquiry if the hon. Member likes to move for it.

THE MAGISTRACY (ENGLAND AND WALES) — MR. THOMAS WYNNE EATON, CO. FLINT.

MR. JOHN ROBERTS (Flint, &c.) asked the Secretary of State for the Home Department, Whether Mr. Thomas Wynne Eaton, of Leeswood Hall, Mold, a Justice of the Peace for the County of Flint, is the same person as one Thomas Wynne Eaton recently adjudged a bankrupt; and, whether the fact of bankruptcy itself cancels an appointment as a magistrate?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, there was a gentleman in the Commission of the Peace for the County of Flint of the name mentioned; but he was not aware of his having been adjudicated a bankrupt. If that were the case, however, it would disqualify him for the Magistracy.

EMPLOYERS LIABILITY ACT, 1880—ACCIDENTAL DEATH AT PETERHEAD HARBOUR OF REFUGE.

MR. ESSLEMONT (Aberdeen, E.) asked the First Lord of the Admiralty, Whether his attention has been directed to the accidental death of a labourer named Whyte, engaged at the construction of the Harbour of Refuge at Peterhead, on the 25th April last; whether the death is admitted to have occurred in consequence of the negligence of the foreman of works; whether the Secretary of the Commissioners of the Admiralty has denied liability and refused to accept a summons on the ground that the Crown is not bound by the Employers Liability Act of 1880; and, what steps, if any, the Government intend to take to prevent what appears to be an evasion of the responsibility of the Act in regard to *employés* under the Crown authorities?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The death of Whyte is entirely attributable to accident, and not to any negligence on the part of the foreman of the works at Peterhead. The Secretary of the Commissioners of the Admiralty has denied liability, and in that contention he is legally right. The Admiralty, being free from legal liability, will inquire into the case, with a view to ascertaining whether any grant should be made, by way of grace and favour, to the representative of the deceased.

MR. BRADLAUGH (Northampton) asked, whether the Secretary of State for the Home Department would introduce a clause in the Employers' Liability Act Amendment Bill to prevent workmen and their relatives being deprived of their rights by such a technical objection?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) suggested that Notice of the Question should be given.

TITHES (WALES)—COLLECTION OF TITHE AT MOCHDRE—READING THE RIOT ACT.

MR. BOWEN ROWLANDS (Cardiganshire) asked the Secretary of State for the Home Department, Whether the Chief Constable, whose Report was read to the House on Monday the 20th of June, relating to the collection of tithe at Mochdre, was the officer in command of the police at the time; and, whether it was under his instructions that the police charged and batoned the people?

MR. T. E. ELLIS (Merionethshire) also asked the right hon. and learned Gentleman, Whether the Magistrate who read the Riot Act during the collection of tithes at Mochdre was an English gentleman who does not understand the language of the people; whether the efforts of a police constable to translate the Riot Act occasioned considerable merriment to the bystanders; and, whether, in view of the employment of the military and police to quell the resistance to the payment of tithes, he will prepare a correct Welsh translation of the Riot Act?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, that the Chief Constable of Denbighshire was in command of the police at the time of the disturbances at Mochdre, and it was by his instructions that, when the police were attacked, the reserves were ordered up to their assistance. The police were attacked by the mob, and acted in self-defence. The Chief Constable informed him that his men were marching quietly down the road when the crowd rushed upon them from the rear, and attacked them with stones and sticks. The Chief Constable had no information as to the injuries alleged to have been received by Mr. Elias Hughes, of Colwyn Bay. The Chief Constable reported that Mr. William Jones, of Tan-yr-Alt, was bleeding from wounds on the head after the *mêlée* was over; but he paid his tithes three-quarters of an hour later, and he was not bleeding them. The Riot Act was read in English and translated into Welsh by an efficient interpreter—a police-sergeant. He saw no necessity for preparing a correct translation of the Riot Act. He must decline to direct a special inquiry into the conduct of the police; but he would gladly consider in what way it would be possible to institute an impartial inquiry into all the circumstances of the case. He desired to point out, however, that in any inquiry he could order there would be no power to administer an oath or to compel the attendance of witnesses. Persons who accompanied a riot during an attack on the police must not complain if they suffered injury in the course of the collision.

MR. OSBORNE MORGAN (Denbighshire, E.) said, that after that statement he was very glad to be relieved from the duty of moving the adjournment of the House in order to call attention to the subject; a course which but for the announcement of the right hon. and learned Gentleman he should have felt bound to adopt.

MR. J. BRYN ROBERTS (Carnarvonshire, Eifion) asked, whether the promised inquiry would be open and independent?

MR. OSBORNE MORGAN desired to know when the inquiry was likely to commence, and before whom?

MR. T. E. ELLIS inquired, whether the Chief Constable and police officers would be examined.

MR. MATTHEWS said, he had promised to consider fully in what way this inquiry could best be conducted, and he agreed that any inquiry that was not open would not be satisfactory. With regard to giving parties the right to appear, that must probably be left to the person who held the inquiry. He would take care that the person appointed should be not only an impartial person, but one whose decision would command confidence.

INDIA (MADRAS)—LAND PURCHASES BY MEMBERS OF THE CIVIL GOVERNMENT.

MR. BUCHANAN (Edinburgh, W.) asked the Under Secretary of State for India, Whether the Honourable C. J. Master, first Member of the Council of Madras, and Mr. H. S. Thomas, first Member of the Madras Board of Revenue, have recently purchased in the names of their respective sons, large estates in the Madras Presidency; whether these gentleman retain a substantial interest in these estates; and, whether the Secretary of State is prepared to lay upon the Table of the House a Return giving the names of all Madras civilians who are directly or indirectly interested in land or land speculations within that Presidency?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State has no information which leads him to suppose that the statements implied in the first two Questions are correct. As all civilians are prohibited from acquiring or holding land within the Provinces, with the administration of which they are concerned, and as the Secretary of State has recently taken such steps as he considered necessary for securing the observance of the regulation, he considers it unnecessary to call for the Return suggested.

THE LAND COURTS (IRELAND)—APPEALS IN CO. LONGFORD.

MR. T. P. GILL (Louth, S.) for (Mr. T. M. HEALY) (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it the fact that the appellants from County Longford, in the Land Courts, will have to go with their witnesses to Roscommon on Thursday next, and could no more convenient arrangement be made for hearing Longford rent appeals?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, he understood that with the exception of those cases in which both parties to the appeal had consented to an adjournment to the next sitting at Longford, the Longford appeal cases would be taken up at Roscommon to-day. As there appeared to be some inconvenience occasioned to the parties concerned by the present arrangement, the Land Commissioners would re-consider their decision with reference to the place for holding their sittings, having due regard to all the interests of the parties.

PUBLIC HEALTH—INSANITARY CONDITION OF BOW CREEK, BLACKWALL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the President of the Local Government Board, Whether his attention has been called to the Report, dated 10th May, 1887, of the Inspector of Nuisances in Manufactories to the Board of Works for the Poplar District, from which it appears that Bow Creek (between Blackwall and Bromley Lock) is in a very foul state, in consequence of the sewage discharge from the West Ham Sewage Works; and, whether he will bring the matter under the notice of the proper authorities, in order that the evil may be abated?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have received a copy of the Report referred to, and the matter has had my attention. I have seen the Clerk to the Poplar District Board of Works with reference to

the complaint, and am in communication with the Lea Conservancy Board and the Town Council of West Ham on the subject.

POOR LAW—MACCLESFIELD UNION—BURIAL OF A FEMALE PAUPER.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the President of the Local Government Board, Whether he can now state the result of his promised inquiry into the facts of an alleged scandal, in connection with the burial of a female pauper, in the Macclesfield Union?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The result of the inquiry which I have caused to be made is this:—An inmate of the workhouse of the Macclesfield Union died on Monday, the 30th of May. Notice of the death was given to her friends, and they waited upon the master of the workhouse, and stated that burial money would be paid by a club and that they proposed to undertake the burial. On the following Friday an undertaker, who was employed by the friends, removed the body. On the next day (Saturday) the master was informed that, in consequence of some alleged fraudulent entry, the club refused to pay the burial money, and that the friends could not undertake the burial. The body was then lying in a house with only one bedroom, and the master assented to the body being returned to the workhouse. Directions were given for proper provision being made for receiving the body in the dead-house at the workhouse; and when the coffin was brought it was removed there, and the body was taken from the coffin and laid in the usual place. The undertaker was asked to leave the coffin until the Monday, but he declined to do so. It does not appear to me that any blame attaches to the officers of the Union in the matter.

ADMIRALTY—H.M.S. "IMPERIEUSE."

SIR BERNHARD SAMUELSON (Oxfordshire, Banbury) asked the First Lord of the Admiralty, whether his attention has been called to a letter of the hon. Member for Cardiff (Sir Edward J. Reed), in *The Times* of the 22nd, in which it is stated, in reference to the *Impérieuse;* that she was designed as a high speeded cruiser under sails and steam, depending on her sails to supplement her steam power, and consequently to be able to continue at sea for a considerable time, notwithstanding a relatively small bunker capacity; that, in order to render her efficient, it has been necessary to remove her masts and spars, thereby rendering her entirely dependent on steam; that, even after this removal, she is so low in the water as to be incapable of carrying even her 400 tons of coal at her intended load draught; and that, consequently, the moderate protection afforded by her armour as designed will be further reduced in proportion as she is supplied with coal; and, whether these statements are substantially accurate?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The *Impérieuse* was designed in 1881 as a high speed cruiser under steam. Her sail power was auxiliary to her steam power, as in the *Nelson* and the *Northampton*. It was anticipated that, at ordinary working speed, the rate of coal consumption would be reduced by the use of sails. This ship was completed in 1886. Trials at sea in the autumn of 1886 proved that the economy of coal consumption obtained by the use of sails was not great. The character of the armament made the working of the sails difficult; and it was decided that greater efficiency for fighting and general service would be secured by removing the sails and substituting fighting tops. The result of this and one or two minor changes has been a reduction in weight carried of about 100 tons. In the interval between the commencement and completion of this vessel 415 extra tons weight were added to her as follows:—namely, machinery, 106, substitution of ordinary type for locomotive type; increase of armament, 135; complement, 30; increase weight of hull, 130—total, 415. In the design the belt was to be 3 feet 3 inches above the level of the water. This extra weight alluded to has increased the draught by 11½ inches, and reduced the height of the belt to 2 feet 3½ inches. The coal bunkers have a capacity of 1,130 tons in the design. The normal coal supply was fixed at 400 tons. The present Board of Admiralty considered this insufficient, and placed it at 900 tons. This supply gives the vessel a combination of speed and coal endurance in excess of any war vessel of similar tonnage afloat, but

immerses the belt 19 inches more. Adding together the gain from removal of sails and the loss from increase of coal and other weights, the belt is only 13 inches above water, instead of 3 feet 3 inches, her extra immersion being 2 feet 1 inch. With this extra immersion, the barbette guns are 19 feet and the broadside guns 10 feet above water. The vessel was most favourably reported upon by Captain Fane, who commanded her during the experimental cruise, and I will lay the Report upon the Table of the House. The stability of the vessel is in no way affected by the extra weights.

SIR EDWARD J. REED (Cardiff) asked, Whether the noble Lord could state to the House that the excess of weight of 415 tons which he had mentioned should not have been an excess of about 700 tons? He wished also to ask, whether the noble Lord had acquainted himself with the fact that this vessel was presented to the House as an armed cruiser of 7,390 tons in the year 1882; and, whether she did not now appear in the existing *Navy List* under a totally different category as a vessel of 8,500 tons?

SIR BERNHARD SAMUELSON asked, whether the Admiralty considered that the defence by the armour was adequate in present circumstances?

LORD GEORGE HAMILTON: The figures I have given are correct. We have added these extra weights to the original tonnage, and that, no doubt, brings it up to the tonnage stated by the hon. Gentleman. As regards the Question of the hon. Member for Cardiff, in the original design the object was that the belt should be a certain distance above water. The lower it is, the less effective it is as a protection to the vessel.

SIR EDWARD J. REED: The noble Lord has stated that the information he has given is correct. It is extremely incorrect and inconsistent with the information I have received.

THE CURRENCY—THE NEW COINAGE.

MR. J. E. SPENCER (West Bromwich) asked Mr. Chancellor of the Exchequer, If it would be possible to have the value of each of the new coins stamped upon it, as the slight difference in size between the crown piece and the double florin, and also the half crown and the florin, is likely to lead to great confusion with foreigners and others unaccustomed to the new coinage?

MR. W. L. BRIGHT (Stoke-upon-Trent) also asked, Whether, in view of the general disapprobation which has been expressed at the appearance and workmanship of the new coinage, it is the intention of the Government to recommend any alteration in the dies from which these coins are struck?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, it had been considered by the authorities of the Mint that it would be preferable to have an artistic design of former days reproduced upon the new coins, instead of the simple description denominating the value of the coin. He had heard no complaint except in regard to the sixpence. As to the many representations that had been made with regard to the sixpence, the Mint authorities would consider whether any alteration could be made. In the meantime, he could not undertake to stop the issue of the new coins, in view of the very great demand there was for them. There was a very large supply of the old coins in store at the Mint and the Bank, and if the public preferred to take them in preference to the new, there would be ample opportunity for doing so. The public had become quite accustomed to the difference between the florin and the half-crown; and no confusion existed with regard to them. There would be a similar difference between the new double florin and the crown; so that they would be easily distinguished. Considerable comments had been made with regard to the head on the coins. But with regard to the reverses, he confessed he had heard very little condemnation. If they had been condemned at all, it was probably in ignorance of the fact that they were simply reproductions of the best of our old designs. He believed that everyone admired the device of St. George and the Dragon, which was on the £5, the £2, and the £1, and also on the crown piece. It was an interesting fact that when that design was first introduced, 60 years ago, it was as bitterly criticized as the pattern of the new coinage was now criticized. The double and single florins were reproductions of the reverse of a coin of Charles I. The

florin now in circulation was certainly very inferior to the design now revived, as its Gothic details were not of the highest order. The half-crown was a resuscitation of a design of George III., the first struck after the rehabilitation of the coinage. The Mint authorities would deeply regret if, in their anxiety to reproduce these designs on these old coins, many of which were of real artistic merit, they should not have satisfied the public taste or demand.

MR. CHILDERS (Edinburgh, S.) asked, whether it could be arranged that the value of a coin should be expressed on the coin itself?

SIR JOHN LUBBOCK (London University) desired to know whether his right hon. Friend had given any further attention to making a distinction between the sixpence and the half-sovereign?

MR. GOSCHEN said, that he had answered the point as to the sixpence, when he said that the matter would be reconsidered by the Mint authorities. That appeared to be the most formidable criticism which had been brought against the new coinage. In regard to the Question of the right hon. Gentleman, there had been a great controversy between the numismatists, or lovers of coins, and the more practical persons who passed the coins from hand to hand. It had been considered that it was reverting to a more artistic state of things to have the George and Dragon on the reverse rather than the commonplace device of "one shilling," "one sovereign," or whatever it might be. It was a matter on which there was a conflict of authority; but the Mint would be extremely reluctant to abandon the design. With regard to suggestions as to changes in the head on the coins, he should have to take Her Majesty's pleasure before consenting to an alteration.

MR. ISAACS (Newington, Walworth) asked, whether the right hon. Gentleman could pay any attention to the Crown on Her Majesty's head, and save it from falling to the ground? If worn as represented on the coins, nothing could save it from falling to the ground.

MR. GOSCHEN said, with regard to the representation of Her Majesty upon the coins, it would be his duty to take Her Majesty's pleasure before he would consent to any alteration in the design.

Mr. Goschen

MARKET RIGHTS AND TOLLS—THE ROYAL COMMISSION.

MR. BRADLAUGH (Northampton) asked the President of the Local Government Board, Whether he can now state the composition of the Royal Commission on Market Rights and Tolls, and the tenour of the Commission?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I am now in a position to state to the House the names of the gentlemen who have consented to serve as Members of the Royal Commission on Market Rights and Tolls. They are as follow:—The Right Hon. the Earl of Derby, K.G. (Chairman), Lord Balfour of Burleigh, the Right Hon. Hugh Culling Eardley Childers, M.P., Sir James Porter Corry, M.P., Sir Thomas Martineau, Mayor of Birmingham; John James Harwood, Mayor of Manchester; Charles Isaac Elton, Q.C., M.P., Francis William Maclean, Q.C., M.P., Henry Broadhurst, M.P., Spencer Charrington, M.P., Justin M'Carthy, M.P., and William C. Little, Stag's Holt, March. It is a Royal Commission to inquire as to the extent to which market rights are in the hands of (1) local authorities; (2) trading companies; and (3) private persons or bodies of persons other than trading companies; and to inquire generally how and under what authority such rights are exercised, what are the revenues in respect of those rights, distinguishing the receipts from tolls, rents, stallages, and other dues from other sources of receipt; what is the accommodation given in return for the charges levied; in what ratio market tolls and dues stand to the value of the marketable commodities on which they are levied, and how far market rights, market bye-laws and regulations, market tolls, rents, stallages, and dues, and tolls affecting market towns, are restrictive of trade; and to report as to the advisability of local authorities acquiring existing market rights, and the arrangements desirable for that purpose; and as to the advisability of prohibiting the farming by local authorities of market tolls, rents, stallages, and other dues, and the placing of restrictions on the sale of goods outside the market that may be lawfully sold in the market; and also of providing that the tolls, &c., of markets held by local authorities shall from time to time be revised with the view of their

being regulated by the necessary expenditure in connection with the markets; and that such markets shall be free and open when the capital charges in respect of them have been paid off by the incomes from the markets or otherwise; and also to report generally as to the alterations which may be desirable in the existing law relating to markets, having due regard to the interests of those concerned.

MR. BRADLAUGH thanked the Government for the way in which they had fulfilled the pledge given.

ADMIRALTY — SPEECH OF LORD RANDOLPH CHURCHILL AT WOLVERHAMPTON.

ADMIRAL MAYNE (Pembroke and Haverfordwest) asked the First Lord of the Admiralty, Whether the Admiralty propose to lay a Memorandum upon the Table, similar to that of the Secretary of State for War, in answer to the charges contained in the speech of the noble Lord the Member for South Paddington (Lord Randolph Churchill)?

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the Speaker, on a point of Order, whether there was any precedent for a Minister of the Crown replying to a Party political speech, made out-of-doors, by a Memorandum placed on the Table of the House and circulated as an ordinary Parliamentary Paper; and, if there was a precedent, under what circumstances would the circulation take place?

MR. SPEAKER: I am not aware of any precedent of the nature referred to by the right hon. Member for Wolverhampton. It certainly appears to me that there would be an obvious objection to laying a Memorandum, by command, on the Table, which was of a controversial description.

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): If the right hon. Gentleman had waited until he had heard my answer, I think he would not have intervened on a point of Order. I do not propose to lay any Memorandum on the Table of the House similar to that which the Secretary of State for War is about to publish. All the charges made by my noble Friend at Wolverhampton against the admistration of the Navy, with the exception of the growth of non-effective charges, are based upon the Reports and investigations of Committees, which I set in motion sometime back; and upon those Reports the present Board of Admiralty have taken measures, which will, in their judgment, effectively prevent or remedy the errors or mistakes alluded to in those Reports. There then remains the question of the extra immersion of certain types of armoured vessels; and upon that question I have nothing to add to the statement made in my Memorandum explanatory of the Estimates, pages 12, 13. The view of the present Board is that while the additional draught does detract from the extreme value of these ships as fighting machines, yet, notwithstanding this drawback, the vessels are, in our judgment, powerful and efficient men-of-war. It is because we hold this view that we were on our responsibility able to lay Estimates upon the Table showing a reduction of £800,000 upon the expenditure of last year. If we thought these vessels either useless or dangerous we should have been compelled to ask for very much larger Estimates.

THE LICENSING LAWS—SELLING DRINK DURING PROHIBITED HOURS (THE JUBILEE).

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked Mr. Attorney General, Whether it was true, as stated in *The Morning Advertiser* of 21st June, that he has informed Mr. Gent-Davis that—

"In his belief should any prosecution be undertaken by Sir Wilfrid Lawson or his friends,"

against London publicans for selling intoxicating liquors during prohibited hours,

"no conviction could possibly be obtained, because the trade would be acting upon the faith of what they believed to be a legal permission?"

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The question of the hon. Baronet refers to a private conversation. All I can say is this. I said nothing which can justify the statements quoted by the hon. Baronet. I desire also to say that I expressed no opinion, one way or the other, whether these prosecutions would be successful or not.

IRISH LAND LAW BILL—NEW CLAUSES AS TO PURCHASING.

MR. LEA (Londonderry, S.) asked the First Lord of the Treasury, Whether the Government will introduce clauses into the Irish Land Law Bill dealing with the purchasing under the 1870 Act and the Glebe Tenants before the Bill is introduced into the House of Commons?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It is the intention of the Government to introduce clauses into the Irish Land Law Bill dealing with purchasers under the circumstances referred to by the hon. Member.

IRELAND—THE QUEEN'S PLATES AT GALWAY.

COLONEL NOLAN (Galway, N.) asked the First Lord of the Treasury, If the Attorney General for Ireland distinctly stated that a Queen's Plate would be allotted to the Galway Races?

THE ATTORNEY GENERAL FOR IRELAND (Mr. HOLMES) (Dublin University), in reply, said, perhaps the hon. and gallant Gentleman would allow him to answer the Question. It was the fact that on the 10th of March he answered, on behalf of the Chief Secretary for Ireland, who was in Ireland, that a Queen's Plate had been allotted to Galway. He had made further inquiries within the last few days into this matter, and had ascertained that previous to the date in which he made that statement, acting upon the advice of the Lord Lieutenant, the Master of the Horse had withdrawn the Plate from Galway and appropriated it to Baldoyle. But that information had not been communicated to the Chief Secretary in time; and, therefore, the answer was supplied to him in the form in which he gave it.

COLONEL NOLAN said, he had addressed his Question to the First Lord of the Treasury, in the hope that he would rectify the statement of the Attorney General for Ireland by simply giving a Plate. That was the reason he put the Question to the First Lord of the Treasury.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I thought it better that the right hon. and learned Gentleman the Attorney General for Ireland should answer the Question himself, as it concerned a statement made by himself in the House; but I will confer with the authorities, and see what can be done.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—SATISFACTORY STATE OF PUBLIC ORDER.

ADMIRAL COMMERELL (Southampton) asked the Secretary of State for the Home Department, Whether, notwithstanding the fact that 15,000 licensed persons had, in the words of the hon. Baronet (Sir Wilfrid Lawson), "been at liberty to make the people of London drunk," there was a wonderful absence of riot and drunkenness on Tuesday night?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am happy to say, so far as I know, that there was a very remarkable absence of drunkenness on Tuesday night.

EDUCATION DEPARTMENT—TECHNICAL EDUCATION.

In reply to Mr. F. S. POWELL (Wigan),

THE VICE PRESIDENT OF THE COUNCIL ON EDUCATION (Sir WILLIAM HART DYKE) (Kent, Dartford) said, that Her Majesty's Government had long been aware of the great interest taken in the question of technical education, not only out of doors, but by many hon. Members; and he hoped on an early day to ask leave to introduce a short Bill dealing with the subject.

COAL MINES, &c. REGULATION BILL

In reply to Sir JOSEPH PEASE (Durham, Barnard Castle),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that he hoped they would be able to get through the Committee stage of the Bill to-night, if he might judge from the considerable progress made yesterday; but, if not, it would be taken at 2 o'clock to-morrow.

LAW AND JUSTICE—COURT HOUSES—ACCOMMODATION FOR PRISONERS AWAITING TRIAL.

MR. CHILDERS (Edinburgh, S.) asked the Secretary of State for the Home Department, Whether he had yet received the answers to the Circular which he had addressed to Local Autho-

rities on the subject of prisoners awaiting trial?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, that answers had been received from a large majority of the Court House Authorities, most of whom had appointed Committees, or were otherwise considering the question. Some had adopted entirely, others in part, the alterations and improvements suggested by the Committee appointed by the right hon. Gentleman which sat last year. Very few—not more than one or two—had refused to adopt those suggestions, and those, he hoped, might yet be induced to take a more reasonable view. On the whole, he trusted that there would be no necessity for legislation on the subject.

LONDON CORPORATION (CHARGES OF MALVERSATION)—MR. BRADLAUGH AND SIR ROBERT FOWLER.

MR. BRADLAUGH (Northampton): I beg to ask for the indulgence of the House while I make a very brief personal statement in reference to an incident which occurred in a debate which took place on Monday evening. In consequence of what took place then, I wrote yesterday to the hon. Baronet the Member for the City of London this letter—

20, Circus Road, St. John's Wood, N.W.,
June 22, 1887.

"Sir,—In your speech in the House on Monday you stated that I had given notice, as you found from a paragraph in *The Echo*, of my intention to charge you with having committed perjury; and on my explicit and formal denial that I had ever said anything of the kind, or that I had ever meant anything of the kind, and on my adding that the statement made by you was not warranted by any language I had ever used, you again referred to *The Echo*, but without mentioning any date, or giving any precise words. As the matter is one of exceeding gravity, I shall be obliged by your quoting to me the exact words which in your view justified the statement you attributed to me of my intention to charge you with having committed perjury.

"Yours most obediently,

"CHARLES BRADLAUGH.

"Sir R. N. Fowler, Bart., M.P."

I have not received any reply to that letter; but the Editor of *The Echo* wrote a note to me last night in which he says—

"Sir R. Fowler is essentially incorrect. *The Echo* has said nothing of the kind, or anything which by any process of interpretation can be tortured into such a meaning."

Now, I had written nothing in *The Echo* myself, and I had said nothing outside this House except in an interview with the sub-Editor of *The Echo* who waited upon me. In order that I might not be inaccurate, I wrote to the Editor of *The Echo* asking whether anything had appeared in any way bearing on the statement of the hon. Baronet, and I have received this reply—

"As in the interview which you courteously gave me no such expression was used, and as I certainly published no such threat as coming from you, this statement of Sir Robert Fowler is quite without justification."

I trust that the House will pardon me for having brought this matter forward; but after the remarks of the hon. Baronet on Monday I felt that I had no alternative.

SIR ROBERT FOWLER (London): I have sent an answer to the letter of the hon. Member to his private address, and I have no doubt he will find it on his return. As to *The Echo*, I considered it was simply reporting the views of the hon. Member. I make no complaint of *The Echo* as I thought that what it did was simply to report the remarks of the hon. Member without expressing any opinion upon them. I understood that the hon. Member did not accept the statement which I had made on my oath before the Committee. I certainly understood that he called in question my sworn statement. That was my impression, and it was the impression of several friends of mine to whom I have spoken on the subject. Further than that, the hon. Member seemed to me to imply that a noble Lord of the very high character of the noble Marquess who presided over the Committee (the Marquess of Hartington) and the other Members of the Committee did not accept my statement, I considered it therefore a very serious matter, but as the hon. Member says that he did not intend to impute perjury to me and that he has not done so, I shall accept that statement. [*Cries of* "Oh!" *from the Opposition.*]

MR. BRADLAUGH: I ask the indulgence of the House while I say that I deny the explicit statement made in regard to me by the hon. Baronet. I made no excuse; but I say that the hon.

Baronet has in no degree justified his statement with regard to me.

SIR ROBERT FOWLER: I certainly read the charges made against me by the hon. Member as reported in *The Echo*. I said that I made no complaint against *The Echo*. *The Echo* was simply doing its duty, but I will certainly ask hon. Members and others outside this House to look at *The Echo* of the 14th of this month, and to form their own opinions. [*Cries of* "Read!"]

ORDERS OF THE DAY.

—o—

PRIVILEGE—PUBLIC PETITIONS COMMITTEE (SPECIAL REPORT)—PETITIONS ON THE LONDON COAL AND WINE DUTIES CONTINUANCE BILL.

Order for the Attendance of Reginald Bidmead read.

MR. SPEAKER: Mr. Sergeant, is Reginald Bidmead in attendance.

The Sergeant-at-Arms: Yes, Sir.

MR. SPEAKER: Bring him up.

The Sergeant-at-Arms accordingly brought him to the Bar, where he received a Reprimand from Mr. Speaker, and was then ordered to withdraw. The Reprimand was as followeth:—

"Reginald Bidmead, on Monday last this House resolved that you had fabricated signatures to certain Petitions presented to this House, and that thereby you had been guilty of contempt and a breach of the privileges of this House. A further Resolution was come to by the House that you do attend on this day to be reprimanded by Mr. Speaker. A third Order was made by the House cancelling over thirty Petitions, which were vitiated by forgery, and which the House therefore rejected as an assault upon the dignity of this House.

"A Special Committee appointed 'to inquire into the circumstances under which, and the parties by whom, the names appearing on certain Petitions were thereunto appended,' reported that the case against you, Reginald Bidmead, was complete; that you had forged—and indeed by your own confession in a letter to me you have admitted the forgery—sixteen or seventeen hundred signatures to various Petitions; and that to one Petition, the Petition from Haggerstone, you had forged two hundred names. You have done this with a cynical and reckless disregard to the discredit which by your action you were bringing upon the great right of petitioning the House of Commons. For similar offences to yours, men have been committed to Newgate, not in ancient times only but in quite recent times within the memory of many honourable Members now occupying seats in this House. I must further notice that the Committee have inserted a paragraph in their Report that they 'desire to record their opinion that the right of petitioning the House of Commons has of late years been subjected to serious abuse, and merits the attention of the House.'

"I have now only to deal with the case before me, and can, of course, make no allusion to any further action which this House may take to vindicate those rights and its Privileges. The House, having taken your case into consideration, has taken a lenient view of the punishment which is to be awarded. It has not committed you to prison, but it has directed me, as the Speaker of this House, to reprimand you; and I do accordingly reprimand you. You will leave this House under the censure of this House, and under the stigma of its solemn disapprobation. You will, I trust, bear in mind that you quit this House under that stigma and under that censure. You will, I hope, also reflect on the serious risks which you have incurred by the conduct which has brought you within the notice of the House. I trust that you will endeavour for the future, as far as in you lies, to condone your offence against the dignity and the privileges of this House by a steady determination to abstain from any practices of the kind which has brought you under this severe censure. I trust that you will reflect upon the offence which you have committed, and not dare to repeat an act which will, if repeated, bring upon you a condign and summary punishment. The right of petitioning this House is an ancient and most valuable right, but its value can only be maintained if the Petitions presented to this House are genuine, authentic, and are the free and unfettered expressions of the wishes of the people. You may quit the Bar."

Reginald Bidmead having withdrawn amid cries of "Fowler,"

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): It is now, Sir, my duty to move—

"That what has been now said by Mr. Speaker in reprimanding Reginald Bidmead, be entered in the Journals of this House."

I am sure it is quite unnecessary to support the Motion by any further observations.

MR. CHILDERS (Edinburgh, S.): I beg to second the Motion.

Motion *agreed to.*

Ordered, Nemine Contradicente, That what has been now said by Mr. Speaker in reprimanding Reginald Bidmead, be entered in the Journals of this House.—(*Mr. William Henry Smith.*)

COAL MINES, &c. REGULATION BILL.—[BILL 130.]

(*Mr. Secretary Matthews, Mr. Stuart Wortley.*)

COMMITTEE. [*Progress 22nd June.*]

[SECOND NIGHT.]

PART I.

Employment of Boys, Girls, and Women.

Clause 8 (Employment of boys, girls, and women above ground).

Amendment again proposed, in page 2, line 29, to leave out the word "girls." —(*Mr. J. E. Ellis.*)

Question proposed, "That the word "girls" stand part of the Clause."

MR. F. S. POWELL (Wigan): I was endeavouring at 6 o'clock yesterday, when the debate stood adjourned, to address some remarks to the Committee in favour of the Bill, as it now stands, and in opposition to the Amendment. I hope, therefore, that I may be allowed to continue those observations, and that I shall be favoured with the attention of the Committee while I plead, as far as I can, the cause of those whose confidence has placed me in this House as their advocate. Some remarks were made, on a previous occasion, with reference to a deputation of pit-brow women who waited on the Home Secretary upon this clause. The deputation consisted of women from Lancashire and elsewhere who are engaged in that industry. It has been stated that the women who were represented upon the deputation were a specially selected class, and not ordinary specimens of the class to which they belong. Now, I have made an inquiry as to that matter of the highest authorities, and I find that the women who formed the deputation to the Home Office were selected by ballot, and that there was no preference of any kind between one woman and another. Then, again, it has been said that these women were sent up from the country at the instance of their employers; but I received information from the same quarter that the action of the women was entirely voluntary on their part, that their attendance at the Home Office was in accordance with their own proposition, and that so far as the financial point of the question was concerned, every farthing of the expense incurred in their visit to London was defrayed by the women themselves. Some remarks were made on the previous occasion as to the character of the women, and I was sorry to hear those observations, because I am quite certain that they were incorrect, and had not the slightest foundation in truth. I have had an opportunity of making a careful inquiry into this subject, and as the result of that inquiry I am prepared to state to the Committee that, so far as the conduct and character of these women are concerned, they are quite equal to those of any other class of women in the neighbourhood in which they live. I would not venture or presume to stand before the Committee as their advocate if I were not perfectly certain that they have been unjustly subjected to this heavy accusation. These women, whose cause I am pleading here to-day, will be found on Sundays in the Sunday School taking an honourable part in various religious organizations. And if there is any difference of any kind between the conduct of these women and of similar classes in other districts, it is in favour of these women rather than against them. We have been told that the number has decreased. No doubt, there has been some decrease in the number of women employed in the coal industry; but that decrease affords no reason whatever why any restriction should be imposed upon their labour. We must bear in mind, in dealing with this subject, the great difficulty there is in finding employment. At this moment trade is very depressed, and there is all over the country considerable difficulty in finding employment for anybody; but one of the great objects of recent legislation has been to provide employment for women. They have been introduced into the Post Office Department, the Telegraph Department, and various other Public Offices. I believe, indeed I am certain, that, as a great social question, it will be found that where there is a difficulty in finding employment for women, or where there is no occupation for them, you will find the districts where there is a low tone of public morality. If time would allow I could mention case after case, and town after town, where, owing to the employment of women, the morality of the locality has been much improved. I may mention, as an interesting illustration, the town of Barrow, where the occu-

pation of the people, up to a certain time, was entirely confined to shipbuilding; but there are now large establishments, in which women are employed, with the result, not only of benefiting the women who get employment, but of improving the moral tone of the town. Let me direct the attention of the Committee to this fact—that these women have no choice in selecting a means of livelihood. Why, then, should they not be allowed to follow this occupation? It is an occupation, as I have shown, which is by no means injurious to morality; and I know that in the district which I represent it has been productive of the greatest advantage. Some women, owing to their physical constitution, are unable to bear the severe labour and the confined atmosphere of a factory. Many women who have endeavoured to gain a livelihood in factory labour have been driven out of it by ill-health, and have then resorted to labour on the pit-brow, where they have regained their health, and have earned an honourable livelihood for themselves and their family. Now, factory women are often compelled to go long distances to the scene of their labours; whereas in the case of women employed on the pit-brow they are able to find abundant means of employment around them. If you impose the restriction which is now proposed, you will not relieve their toil, but will greatly increase it. It has been remarked that these women would be best at home. No one denies that women are best occupied at home; but it is not every home that is so well supplied with the means of support that without contributing to the family purse every member of the family can live at home. The question is not whether members of a particular family are best at home, but whether they are to have a home at all. The statements made to the Home Secretary, when the deputation to which I have referred to waited upon him, went to show that in many instances the women were the sole means of obtaining a livelihood for the family. In some cases there has been a sick mother to provide for, or the labourer herself may be a widow, and by means of her labour on the pit-brow she is able to keep a home together, and keep her family free from the stigma of pauperism. I appeal to the Committee not to interfere with the means these women now possess of gaining a livelihood, and not to reduce to a condition of starvation respectable women who are now gaining an honest living for themselves. In the district I represent there is an entire community of feeling between the employer and the employed; and the representations which I have received are strongly in favour of the Bill as it stands, and in favour of freedom of labour for women. Now, the great point I wish to press upon the Committee is that women should be allowed perfect freedom in gaining their livelihood. I believe that their occupation in this instance is by no means more mischievous in any sense than any other occupation by which women gain a livelihood. No doubt, there are many who will desire that women should be altogether able to maintain themselves, or be maintained without any employment of such a character; but we have to deal with a serious problem; we have to deal with women who find it necessary to gain their own livelihood, and to procure the means of obtaining their daily bread. It is only by finding employment that they are able to preserve a home, and to prevent the family from being broken up and driven into the workhouse. Those are the considerations which I venture to mention to the Committee; and I am glad to have had an opportunity of bringing them under the attention of the Committee. They are arguments which have impressed themselves on my mind, and I hope they will carry weight with the Committee. I am pleading, I believe, in favour of freedom, and in favour of morality; and I am pleading for the liberty of honest women to obtain their bread by honest industry.

Mr. ATHERLEY-JONES (Durham, N.W.): An Amendment which stands in my name on the Paper very largely involves the question now under discussion; and as the result of this Amendment will undoubtedly cover my proposal, I think it is as well that the observations which I have to make should be made now. I utterly repudiate the assertion that the Amendment, at any rate so far as I myself and other hon. Members on this side of the House are concerned, has any tendency in the direction of interfering with the labour of women. I think it is only necessary to state what the number who are employed is, in order to dispute altogether that illusion. I believe that in the United Kingdom, or rather in England

and Wales, at the present moment there are something like 2,000,000 women employed in the manufactories of the country; at any rate the Census Returns of 1881 gave us the number of 1,240,000, and it may be taken that that number at the present time has been pretty nearly doubled. Now the total number of women employed in connection with coal mines is something under 6,000, and it has been a steadily decreasing number. It is also worthy of notice, and is germane to the consideration of this question, that labour of a particularly marked character has very much decreased so far as women are concerned. Let me refer to agricultural labour, to labour in iron works, and, in fact, every class of labour which requires great manual exertion. With regard to the labour I am dealing with now, I am prepared to admit, and I wish to draw the attention of the Home Secretary to this point, that we are bound to make out a very strong case. We are bound to show that the labour is utterly unsuitable for women to follow; that it does—I will not say morally—but, at any rate, mentally and physically degrade them. I venture to think, then, that if I am able to prove that proposition to the satisfaction of this Committee, I am entitled to have the proposition ruled in my favour. Legislation for the past few years has proceeded on these lines. The result of the legislation of 1846 was to liberate a large number of women who had been employed in coal mines. Subsequent legislation in regard to factories also liberated large numbers of women; and the justification which the right hon. and learned Gentleman the Home Secretary gave to the deputation who waited upon him at the Home Office, for that legislation, was that it had been reported to him by the Inspectors that the work itself was unsuitable for women, and that it had led in numerous instances to serious accidents. I know it will be said that we have got no right whatever to interfere with the labour of women; but my answer to that is this, that arguments of that nature put forward by hon. Members who share that view are arguments which have been adduced with equal force against every legislation for the protection of women and children. With great respect to the Home Secretary, and the care which he has bestowed on this Bill, let me at the same time say that he seems to have treated this question of the labour of women somewhat superficially. It is thought that some hon. Members, including myself, are hard-hearted in seeking to deprive women of this particular means of earning a livelihood. The deputation which waited upon the Home Secretary was a carefully prepared deputation. [An hon. MEMBER: We deny that.] Perhaps I may be allowed to give my reasons for making that statement. It was a deputation which was got up by the coalowners of Cumberland—[*Cries of* "No!"] Hon. Members will perhaps allow me to finish my sentence. It was a deputation got up by the coalowners of Cumberland and Lancashire. [*Cries of* "No!"] The Cumberland deputation was personally accompanied by Mr. Moore, a viewer employed by the colliery owners of Cumberland. It was also accompanied by a gentleman who is undoubtedly connected with trades unions—a Mr. Oakes—who takes very strong views upon these matters. The action of Mr. Oakes was subsequently repudiated by the trades associations with which he is connected; but it is a well-known fact that he came up here with the deputation in order to represent miners who are entirely opposed to the continuance of the employment of women. Does anyone suppose for a moment that the Home Secretary, in opposing the Amendment, is properly influenced by a deputation promoted in the manner I have described. What is the nature of this work in which women are employed? The Home Secretary drew a subtle distinction between pushing waggons and pushing a tub. I confess that I am unable to follow him. I know that in the case of pushing a waggon several women must be employed, although in the case of pushing a tub, weighing with its contents 11 or 12 cwt., only one woman may be sufficient. I know also that the women are dressed in uncouth and barbarous garbs, which I should have great reluctance to see made universal in this country. They are engaged in picking and shovelling coal into the trucks, and in pushing the trucks along. They are also engaged in putting the coal into the screens, and after they have performed those various offices they are in a condition such as to be hardly recognizable as human beings. I have seen them myself. I do not wish

to enter into so delicate a question as the question of the morality of these women. Of course, one cannot expect a very high standard of morality. [*Cries of* "Oh!"] I notice that it is the coal-owners who sit on the other side of the House who say "Oh!" and who champion the morality of the working classes in the case of these women whose labour they seek to perpetuate at much smaller wages than would be allowed to men. I say that morality on the part of such women is not to be expected, under the circumstances, to attain a very high standard. There have recently been a number of interesting articles in *The Manchester Examiner and Times*, written by a special commissioner appointed to inquire into the matter, and his testimony is of a somewhat conflicting character with that of other authorities in regard to the standard of morality. The kind of employment, I think, at any rate, is not calculated to promote or maintain a high standard of morality among them. Another important reason why I think this Amendment should be accepted is, that the women are engaged in a work of a singularly laborious character, and when they return to their homes they are utterly incapable of performing their usual domestic work. The consequence is that their homes become utterly neglected. We have had reports submitted to us which prove conclusively that the condition of the employment followed by these women is entirely inimical to the maintenance of decent domestic relations. I hope the Home Secretary has read the Report of the Royal Commission to the House of Commons in 1866. If he has read it, he will have noticed that there is a large volume of evidence from women of all classes against the employment of women in this manner. Now, I say with the greatest confidence that this Amendment in no way aims at depriving women of their legitimate share of employment. It seeks to prevent women from following occupations which are prejudicial to their health, and the health of their children; and I hope that the Home Secretary and every hon. Member of the House, except those who are deeply pledged to oppose it, will support the Amendment. I sincerely trust that the Home Secretary will reconsider the hasty decision he came to yesterday, and that he will put a stop to the unsatisfactory condition of things which now prevails.

SIR JOSEPH PEASE (Durham, Barnard Castle): The Amendment now before the Committee is simply to exclude the word "girls" from the clause. May I ask if it will be in Order for hon. Members to discuss the general question of the employment of women in connection with coal mines upon that Amendment?

THE CHAIRMAN: As a point of Order, I consider that upon the present Amendment it will competent for hon. Members to discuss the general question. If the Amendment is rejected and the Committee refuses to disallow the work of girls, it is quite clear that the work of women will not be disallowed, and in that sense the rejection of the Amendment will apply not only to girls but to women also. Of course, if the Amendment were accepted, and the Committee in so doing disallowed the work of girls, it would not necessarily follow that the work of women would be disallowed as well as that of girls.

MR. BRADLAUGH (Northampton): The Committee will, I presume, be practically deciding the whole question of employment of women upon this Amendment. I rise with some feeling of diffidence to express my opinion, because I know that it is in conflict with the bulk of the hon. Members who are sitting around me. I do not think that fact ought to influence my judgment, except in inducing me to weigh my reasons carefully for the course I may feel disposed to take. I intend to oppose altogether the views which have been urged by the hon. and learned Member for North West Durham (Mr. Atherley-Jones), who has just sat down. The whole of the question is one of great difficulty, and it really involves the decision of a question which I hope the Committee and other Committees of this House will always be prepared to decide with great clearness—namely, the question of how far the Legislature intends to interfere between individuals in this country. I fear there is a strong tendency, especially among advocates of the democracy, to look to the House of Commons to redress all grievances and to make all people moral, as well as taking care of how they live and what they do. I think that is the most dangerous tendency that

can possibly be conceived, and so far as I am concerned I shall always do my best to oppose it. If this Amendment and the consequent Amendments on the Paper are carried, this Committee and other Committees of this House must be prepared to say that whenever, in their judgment, any kind of employment is destructive to the health of the grown individuals engaged in it, they will prevent it, without regard to the feelings of such individuals. I do not know whether hon. Members who propose to support this prohibition have considered where it would land them? I decline to discuss the incidental question as to whether the deputation was arranged, or whether it was voluntary. That is so small a feature, that I cannot help thinking that both sides would waste time in condescending to discuss it. I go the length of admitting with the hon. and learned Member that wherever you have hard, coarse, and dirty employment, either for men or for women—employment in which it is difficult for men or women to cleanse themselves after the day's occupation is over, and coal mining is essentially one of those employments—there is considerable difficulty in keeping the home decent and comfortable. But if you are to legislate upon that ground, how many classes of employment will you have to touch? And if you do it for grown women, why not for grown men as well. You say that the men are able to take care of themselves. Well, but the women are not represented in this House; and do hon. Members claim the right of knowing better than the women themselves how they are to earn their livelihood, not only the 6,000 to whom this clause applies, but the many thousands engaged in other employments. Have you contemplated how you are to provide them with the means of obtaining their livelihood? Are you going to provide them with the means of subsistence? Do you intend to make your legislation entirely of a Socialistic character? Or are you going to affirm the principle that it is the duty of the Legislature to interfere as little as possible between grown individuals? You may take care to sweep away all the unfair and artificial restrictions which prevent them from getting a fair wage for their labour; but, short of that, it is neither your duty nor your right to constitute yourselves the guardians of how they are to do their work. Your real duty is to create a good and self-reliant feeling among the men and women themselves. I believe it is a fact that the constituents of the hon. and learned Member have not generally permitted this kind of employment among women, but have hindered it as far as possible by bringing about a disposition on the part of the population to object to it. I admit that, looking at the matter in the worst sense, that where women are engaged in hard manual labour, even in the fields, although there it is to a less extent, there is a lower level of morality and life. I am speaking from knowledge, for I have mixed during the last 30 years with every class of those workers intimately; I have slept in their cottages, when I have had no other place to go to, and I think it my duty to put to the Committee what I conceive to be the right position to take in the matter. If it is suggested that the husbands take advantage of the earnings of the wives, and do not work themselves as much as they ought to work, if this be true, the proper course is to teach them sobriety, thrift, and economy, and not to make in Parliament legislation which is utterly destructive of all kinds of self-reliance on the part of the people to whom it is to be applied? I was surprised to hear the hon. and learned Member for North-West Durham (Mr. Atherley-Jones) say that this legislation is only following the precedent that has been established for the protection of women and children. Children unfortunately we must protect, although every step the Legislature takes when the child has begun to approach an age at which it can judge for itself, and has received education enabling it to judge, is dangerous to the Legislature and to the child alike. The only way in which this country can maintain itself and escape is by throwing on the population the responsibility of making their own morality and their own lives, and not in inducing then to think that this House has either the ability or the duty of making their morality and their lives for them.

MR. FENWICK (Northumberland, Wansbeck): I cannot help thinking that the hon. Member for Northampton (Mr. Bradlaugh) who has just sat down has not sufficiently considered how far the doctrine of individualism is capable of being carried. If we leave

the individual to take his own choice, and decide that the state is not to interfere in any way, I am afraid the hon. Member will find that such a doctrine is calculated to carry him to a very great length. Nor do I think that hon. Members like the hon. Member for Wigan (Mr. F. S. Powell) have sufficiently considered to what extent the freedom they claim for women is likely to be carried in that direction. If they claim absolute freedom of action for the pit-brow women to choose what employment they like, why do they not carry the principle further, and say that they ought to be allowed to go down into the pit, and dig the coal. I do not think any hon. Member would dare to enter a mining constituency and say that women should have absolute freedom in their choice of employment. It is assumed by hon. Members who have taken part in the debate that the subject has not been fully considered by the persons who are most interested in the question of labour. Now, I submit that no question which has come before us for a considerable length of time has had more full and complete consideration than this—full consideration by the fathers of the daughters, and the husbands of the wives, who are engaged in this employment. We have held conference after conference between the Representatives of the whole mining community throughout the United Kingdom, at which this question has been thoroughly and fully debated, and when a Resolution has been submitted to the conference, not a single dissentient voice has been heard even from the districts most largely concerned in the question of female labour. It is contended that we ought to increase the facilities for female labour rather than seek to curtail them. Yes; but why do you seek to exclude women from the Government offices, where the work to be done is more fit and suitable for female hands, and where it is of a lighter character confined to the wielding of the pen rather than to that of the pick and shovel? Why, if you do not by Act of Parliament prohibit women from taking part in Government work, should there be an understanding between all parties to keep them out of Government employment as far as possible? There can be no doubt that this question has been most carefully and most fully considered by the persons who are most interested in it, and their verdict is undoubtedly against it and against the movement which has been set on foot in the Wigan district, and in the surrounding locality, and set on foot, I maintain, by interested persons. The hon. Member for Wigan has referred to the Representatives of the miners who attended the Home Office and accompanied the deputation to the Home Secretary; but I think that the hon. and learned Member for North-West Durham (Mr. Atherley-Jones) has clearly shown that some of the Representatives at least appeared there at the special request of the coalowners, who are largely interested in the matter; and their statement that they attended the deputation at the instance of the women themselves has been emphatically repudiated. I believe that my hon. Friend the Member for Morpeth (Mr. Burt) has a letter in his possession which gives a clear and distinct denial to the representation which has been made by the hon. Member for Wigan. What we contend is that the work done on the pit-brow by these women is unwomanly—the verdict of the country is against it—and public opinion will undoubtedly soon show itself in favour of the complete abolition of such employment for women. I certainly hope now that the Home Secretary has gone the length of making a limitation in the Bill, that he will also be prepared to accept the Amendment of my hon. Friend the Member for Morpeth, which prohibits altogether the employment of these pit-brow women in such arduous toil, so long as they are not to be employed in the ordinary work of mining itself. The Home Secretary has introduced into the Bill a provision prohibiting them from moving waggons and trucks about the pit. We who have had experience in the matter all know that waggons are moved about by horses and neither by men nor women. There are, however, tubs which the women are compelled to move on the pit-bank, which are little better than waggons, and many of them contain minerals which, when full, make the tubs weigh from 13 to 15 cwt. I need not say that for women to be engaged in such work as that utterly and entirely unfits them for the social duties they ought to perform. There can be no comfort in the home where the mother and the daughter

are compelled all the day long, in order to earn sufficient to keep life in, to be out on the pit-brow; and I appeal to the Home Secretary to reconsider his position and accept the Amendment of my hon. Friend.

COLONEL BLUNDELL (Lancashire, S.W., Ince): I am sure that if, as has been averred, public opinion is setting strongly in the direction indicated, the employment of women about the pits will be gradually given up without hardship to the women themselves. I am not at all surprised at the view taken by the hon. Member who brought forward this Amendment, or by hon. Members opposite who support it. When I first saw the occupation myself, I took precisely the same view of it; but it is quite an error to suppose that this is very hard work. I admit that there are sentimental objections to the costume, but the work is not hard. I have received a letter on the subject from Mr. Greener, mining engineer at Pemberton Colliery, who says—

"I see no objection or hardship in women pushing the tubs along on the pit-brow. The average tub weighs about 8 to 10 cwt. when loaded. They are properly greased and run either upon rails or plates The work is quite as healthy and far less fatiguing than that done by nurse girls who carry heavy babies and propel ricketty perambulators along our country roads. This class of work is far away from any machinery, and though constant, is not what you term 'rapid.'"

He says, further—

"If they were all stopped to-morrow, so far as this district is concerned, the result would only be 500 more women competing for work in the mills, or, perhaps, in the nail-makers' forges."

If the Committee will allow me, I will quote another passage from the communication of this gentleman. He tells me that—

"I fail to see why any man should object to these pit-women exercising their muscles in order to gain their daily bread. A few weeks ago, I was through a cotton mill, and was struck with the different conditions under which the women worked there as compared with those on the pit-brow. An atmosphere laden with moisture, and a temperature of about 70 degrees; dust from the cotton, the odour of oil, &c. from the machinery, men and women working in the same room clothed in the scantiest attire; the contrast in favour of the pit-brow could not but strike the most casual observer, and I sincerely trust the labour of the women may be retained to them."

I sincerely trust that the Secretary of State will not consent to alter the Bill in consequence of the appeal which has been made to him on this matter. Depend upon it, if this labour is wrong, the education which the people are getting at the present day will put a stop to it if it involves real hardship. I believe that the Legislature would commit a great hardship if it were to destroy this labour. The work is not hard, and all that is necessary is that it shall be properly regulated.

MR. MUNDELLA (Sheffield, Brightside): I listened with interest to the speech of the junior Member for Northampton (Mr. Bradlaugh). It would have been an admirable speech if the Committee had under consideration the question of the hours of labour and the rate of wages of men; but it seemed entirely out of place with reference to the Amendment now before the Committee. Either this is so, or the House has gone a long way in its views on this question in the last few years. The question immediately before the Committee is whether the word "girls" shall stand part of the Question? What does that mean? It means whether girls shall be employed on the pit-brow pushing heavy loads of eight or 10 cwt. and in dealing with great masses of coal quite unfit for persons of tender years to move. Such heavy loads are not at all like the perambulators the hon. and gallant Member opposite has referred to. They are weights altogether beyond the strength of those who are employed to deal with them. [Colonel BLUNDELL: No!] I know what I am talking about, because this is a matter which has been discussed once before in this House. So far back as 1882, when a Mines Bill was before the House, we came very near to the point of excluding women altogether from such work; and now, at last, the time has come when girls of tender years—say, from 13 to 16 years of age—should be excluded from labour of this kind. On what ground can it be justified? In 1871 the late Earl of Shaftesbury moved in the other House an Address to the Crown in regard to the employment of girls in brickfields, on account of the heavy weights they had to deal with. I would recommend hon. Members who have not read that speech to direct their attention to it. I will not weary the House by making quotations from it; but I should like to call the attention of the Home Secretary to the

response which that speech received from the Government of the day. Lord Morley, who was then Under Secretary of State for the Home Department, in the House of Lords, said that no one who had listened to the description which the noble Lord had given could deny that he had made out a case for the interference of the Legislature. He went on to say—"the Bill introduced by the hon. Member for Sheffield—meaning myself—not to extend the application of the Act of 1864 to brickfields, but with the view of obviating the necessity of having two measures where one was sufficient," met with the approval of the Government, who proposed to introduce into their own Bill the main provision of that which I proposed—namely, that no female under the age of 16 should be employed in brickfields, on account of the great labour imposed upon them, and the impossibility for girls of that age to perform such work without injury to their health. The hon. Member for Wigan has given a rosy picture of the morality of the women employed at the pit-brow; and I am bound to say that the moral condition of the women is very much to their credit and honour. But I have been in Wigan myself, and visited the pit-brow, and saw what went on there. I admit that it was some 16 or 17 years ago, but I have seen women leave the pit-brow and assemble in the public-houses, and I have seen what went on in those public-houses, and I say that the whole tendency of the employment is to degrade the women. Whether that is so or not may be left an open question; but when appeals are made to the Committee about the liberty of the individual, and the freedom of everyone to choose his own labour, do not let us talk about freedom of choice in reference to tender children of 13 years of age. Let me remark that there is only one other country in Europe where girls of 13 years of age could be so employed in mines—namely, Belgium, and what has happened there? We may well thank God that we in England have regulated the work in mines long ago, or otherwise we might have had here the same state of anarchy and discontent as prevails in that country. We have avoided it by regulating the labour in mines. I feel bound to congratulate the Home Secretary upon the step he has taken in raising the age of boys employed in mines from 10 to 12 years, and I trust the right hon. Gentleman will not resist this reasonable Amendment for excluding girls from 13 to 16 years of age from unsuitable occupation of this kind. When they become women and choose to select such an occupation it may be said that they have freedom of choice; but they have no freedom of choice between 13 and 16 years of age, and it is certainly not an occupation in which young girls ought to be engaged.

MR. M'LAREN (Cheshire, Crewe): The hon. and learned Member for North West Durham (Mr. Atherley-Jones) stated that he must make out a strong case in order to justify the Amendment, but I think the Committee will agree with me that he failed to do so. When the hon. and learned Member came to the question of the moral and physicial condition of the women employed on the pit-brow he had not a word to say against it, and the hon. Member for Morpeth (Mr. Burt), who introduced a deputation of miners last February to the Home Secretary, said, that although the work of these women was hard and unwomanly he had nothing whatever to say against them on account of their honesty and virtue. If that is the testimony of the hon. Member for Morpeth, I trust the Committee will hear no further remark as to the immorality which arises from this system. The right hon. Gentleman the Member for Sheffield (Mr. Mundella) says that 16 or 18 years ago he saw the Wigan pit-brow women going into the public-houses; but if the right hon. Gentleman will go to Sheffield, or Bradford, or any manufacturing town, in the North of England, I am afraid he will see girls of very tender years leaving the cotton and worsted mills, and going into the public-houses. Having lived there for a number of years I have certainly seen that myself. If no objection can be urged against the employment of women on the pit-brow on the ground of immorality, is the work of a character, as has been urged with some force against this kind of employment, to unfit them for the ordinary duties and relations of life? Even if that were so, which is not proved, I do not think it would be a sufficient ground for preventing them working. Do the men themselves support the Amendment? No doubt

there are many of them who do; but I think we ought to consult the feelings of the women themselves in the matter. The hon. Member for the Wansbeck Division of Northumberland (Mr. Fenwick) told the Committee that the fathers and husbands of the women have carefully considered the question, and that they are universally against their employment in this way; but, if so, one would expect them to put on some domestic pressure in order to keep their wives and daughters at home. The hon. Member said that all the persons interested had been consulted. He apparently does not even consider these hard-working women worthy to be called persons, for they are chiefly interested, and are unanimously anxious to be let alone. Are we to pay a total disregard to the feelings of the women in the matter? I think it would be a most mischievous thing for Parliament to impose any further limit on the power of women to obtain employment, especially when they have no votes for Members of this House, and it is a somewhat remarkable thing that in the constituencies of hon. Members who support the Amendment there are no women working at the pit-brow. If they had women constituents I think they would take a different line. They have been enabled by moral force and persuasion, or by pressure of some other kind, to prevent women, in the Divisions they represent, from following this occupation; and, therefore, they maintain that it is a course which ought to be adopted elsewhere. But let me remind those hon. Members that in the constituencies represented by the opponents of the Amendment there are such women. We have been told that the labour of pit women is dying out, and that in the course of time it will probably cease altogether. I find that in 1874 there were 6,900 women working on the pit-brow in connection with coal mines, and 4,000 women employed in reference to metalliferous mines. Now there are only 4,130 employed in connection with the former, and 1,430 in connection with the latter; and, according to a Parliamentary Return, there is only one girl under 13 working about coal mines. Of children between the ages of 13 and 16 there are some 270 working in connection with the coal mines, and about 350 working in connection with the metalliferous mines. The number is not only small, but decreasing rapidly, and I think I may say that the few who are employed are working owing to some special necessity, perhaps to support a widowed mother, or being orphans compelled to work in this way in order to keep a home over their heads. Surely it is far better that girls between 13 and 16 years of age should even be employed in this way than be driven to the workhouse, or to worse places. I was present when the deputation of pit-brow women waited on the Home Secretary, and when the right hon. Gentleman asked them if they were perfectly satisfied with their employment their reply was—"All we want is to be let alone." It is surely strange that when we see many people in this country anxiously looking in vain to this House for legislation, and the redress of grievances, yet we needlessly propose legislative interference with the only people in the country who declare themselves to be satisfied. I might read a number of letters from clergymen and others in the districts where the pit-brow women work, stating that the women are well-behaved, moral, decent, and religious, and that although there was some prejudice at first against women being employed in this way, that prejudice has altogether been removed by the purity of the lives and the character of the women. The work, though hard, is not degrading, and is not such as Parliament ought to interfere with. There are many occupations, I am convinced, which are more degrading to women, and which tend more to demoralize them. Let me instance the work of women in the public-houses of this metropolis. I venture to say that more women, in proportion, are ruined both in health and morals by acting as barmaids in the public-houses of London than those who are employed in working on the pit-brow; and the work of the women employed as chain makers and nail makers is even harder than that of the pit-brow women. It was said by some hon. Members who supported this Amendment that it was not their desire to prevent the employment of women, but that they wished to have women employed in the most suitable occupations possible, and that they were not desirous of interfering with those who were now employed. Well,

the only effect of depriving the women of work would be to cause them to starve, or compel them to loathsome occupations. Now, if the Amendment is carried, I am sure that something like this will occur, because all or most of the women at present engaged would be dismissed in a few years by their employers. It is much better that matters should be allowed to remain as they are at present, because the tendency is that the employment of women at the pit bank is gradually dying out; and, as a matter of fact, if this is found to be an unsuitable occupation, it will of itself die a natural death. The average number of years these women work at the pit bank is five, and now there are some 5,500 who work at that average rate. That means that about 1,100 cease to work, and are replaced by others every year. If you pass the Amendment to be moved by the hon. Member for Morpeth (Mr. Burt) in two or three years the number would be reduced to half, and the remainder would soon be dismissed. But if, by passing this Amendment, you drive these to be summarily dismissed by their employers, on the ground that women and men are unfit to work together, and because the work is immoral, as to which the evidence is all to the contrary, I would lay as a warning before you the high authority of Mrs. Josephine Butler, who shows that the tendency of such legislation is to drive women into worse employments. The Houses of Parliament, not long ago, in a mood of philanthropy, interfered in order to stop the work of women in certain occupations—women in rope works, and the like. These women, having followed their careers, had been suddenly excluded from their employment, and the result of this matter was that instead of getting better employment many of these women went to be coal-heavers at the docks, many went into the workhouses to pick oakum, and many went to gain a livelihood on the streets. That is the tendency of such interfering legislation. The women are driven from suitable employment, which, no doubt, may not be the very best work which ought to be at hand for women to do, to occupation which is sadly injurious to their morality and physical health. It is a case of the choice of the better alternative. I insist on my argument, that no objection has been urged against the employment of women on the pit bank that could not be urged with as much force against the whole factory system of this country. It was said that the work of these women at the pit bank unfitted them for domestic life and other occupations. That assertion is not altogether correct; but, even though such was the fact, as soon as these women are turned out of employment they will either have to starve, or perhaps be driven to lead the worst of lives, for they would certainly be unfitted for the finer work of the cotton mills. I trust very sincerely that the Committee will reject this Amendment, although I must say that I believe that hon. Members who support it are actuated by the very best of motives. At the same time, I believe that the Committee would do serious and grave injury to the women themselves; and for that, amongst the other reasons which I have set forth, I do, indeed, hope that there will be no interference with the legislation in this matter as it now stands.

MR. STAVELEY HILL (Staffordshire, Kingswinford): Sir, I must say that I was very much surprised to hear from the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) the remark which he made in regard to Lord Shaftesbury. I well recollect that in the year 1872 this question was discussed by the right hon. Gentleman (Mr. Mundella) and myself in a Committee of the House; and I think I am able, if I mistake not, to allude to some remarks then made by the right hon. Gentleman (Mr. Mundella). After the Bill on this matter went from this House to the Lords, Lord Shaftesbury took a great interest in the discussion of it so far as it affected the age of the employment of boys and girls; but his Lordship would have nothing at all to do with the amendment of the clause so far as it would have affected the employment of women. Further than that, when discussing the matter in this House before Committee, the right hon. Gentleman quoted Lord Shaftesbury on a particular point, stating, as he has done again to-night, that under the Act of the previous Session girls under 18 years of age were prohibited from working in brickfields. To this I find Mr. Bruce replied that that was so because they were in the habit of carrying heavy weights. However, when the Bill went

to the Lords, Lord Shaftesbury, great philanthropist as he was, would have nothing whatever to do with the limitation of the proper employment of women.

MR. MUNDELLA: I think, Sir, the hon. and learned Member (Mr. Staveley Hill) will recollect—apparently he misunderstands—that what I referred to was Lord Shaftesbury's speech in 1871 upon the Brick-yard Question, and not upon the Coal Mines Question at all. When I mentioned the matter, Lord Shaftesbury said at the time in regard to the provision as to women—"I have no chance of carrying it in the House of Lords."

MR. CAVENDISH BENTINCK (Whitehaven): I hope, Sir, that the Committee will allow me to make a few observations on this subject, because, having a practical acquaintance with it, I can demonstrate the great inadequacy of the case set up by the supporters of the Amendment. With regard to the statements made by the hon. Member for Morpeth (Mr. Burt), the hon. Member for Wansbeck (Mr. Fenwick), the hon. Member for Normanton (Mr. Pickard), and the hon. Member for Rhondda (Mr. Abraham), to the effect that this kind of employment of women was a relic of barbarism, that the work was arduous and straining, entailing the dragging of tubs and trucks, weighing from 15 cwt to 17 cwt, and that the Home Secretary should not have been deceived by a carefully selected sample of pit-brow women, but should see for himself the women at work, and the arrangements or want of arrangements under which they worked, I have to say, having represented my constituency for 22 years, and being well acquainted with the methods of coal working in the district, without the slightest hesitation, that the above allegations, so far as Cumberland is concerned, are absolutely without foundation. The hon. Member for North-West Durham (Mr. Atherley-Jones) spoke about the laborious character of the work imposed upon these women, who, he said, were compelled for eight or 10 hours a-day to drag trucks of 15 or 17 cwt, and he referred disparagingly to the deputation which had waited upon my right hon. and learned Friend the Home Secretary (Mr. Matthews), hinting that, inasmuch as it had been organized by the coal owners, it would have been of more effect had there been greater care in the selection of the women delegates. Similar observations and implications have fallen from other hon. Members. Now, I am intimately acquainted with the coal working in my district, and I repeat that these statements are not correct. It was also suggested that the women who came to London as a deputation were accompanied by a coal-viewer of the name of Mr. Moore; but this story is also a fabrication, because the deputation was selected at a public meeting of persons of all creeds and classes and shades of political opinions. One resolution was moved by the agent of the so-called Liberal Party in that district, an individual who is always opposed to me in my election contests; and after the meeting was over the women who were to attend as a deputation were freely elected from among themselves. After that the women were asked whom they would like to accompany them to London, and Mr. Moore was selected for that purpose; and I will say that a more proper person to take care of them and their interests could not have been chosen. There is not the slightest foundation whatever for the further insinuation that there was some evil motive on the part of the coal owners in regard to the deputation. Remarks have been made as to the character of the labour which these women have to perform, and the costume in which they appeared before the Home Secretary. Well, as to their attire, the women appeared before the Home Secretary in their ordinary attire, without any pretence to be anything but what they really were. Then, as to the statements of hon. Members in reference to the nature of the work done, I can say this—that in Whitehaven, at all events, the screen women are practically never at work more than six hours a-day, and as only a limited number are employed (when there are vacancies), the number of applications greatly exceeds the demand. It is altogether erroneous to say that this labour is of a sort unfitted for the women. If any hon. Member would allow me to show him the women at work, I am quite sure that he would be satisfied that there was no foundation for the statements as to the arduous and pressing and unseemly nature of the toil. In our part of Cumber-

land no woman who has a husband is permitted to be employed at the pit-work. The women employed must be single women, and thus there is no foundation for the objection as to wives being taken away from their husbands. My right hon. and learned Friend the Home Secretary agrees as to the desirability of a provision in this Bill which would prohibit women from moving heavy trucks and waggons. But, as a matter of fact, there is no foundation for the allegation that the women move these waggons and tubs of 12 or 15 cwt. That is merely a statement of invention made by persons who are desirous of depriving the pit women of their means of honest livelihood. It is simply a case of taking from women the fruits of their own industry, in order that men may derive the benefit and advantage. I know that the hon. Member for Morpeth (Mr. Burt) and the hon. Member for Nottingham (Mr. Broadhurst) have done all they can to persuade the miners against me; but they have not succeeded in doing so thus far, and I think any future trials will also end in failure. The miners in our part have learned to know their true friends, and they are not going to be drawn into loggerheads with their employers by the advice of those who are interested in making them do so. In our district we have no strikes, and the relations with the masters are of the smoothest sort. The workers know very well that those who profess to be the Representatives of miners in this House are not the Representatives of the miners at all, but the Representatives of organizations which live upon the miners. This employment is popular with the women themselves, and their husbands, fathers, sisters, and brothers; and I venture to advance that these persons are the best judges of their own business, and that when the actual workers complain and say that they do not like the system it is time enough to enter into the matter fully. In regard to the extraordinary speech of my right hon. Friend the Member for the Brightside Division of Sheffield, I must say that I am very much surprised to hear a right hon. Gentleman who was a Member of the Cabinet of the last Government, which brought in a Bill, if my memory does not fail me, with no provision designed to deprive women of the right of labouring, get up to denounce the employment of women. His present attitude is surely a contrast with his attitude when he was on the Front Treasury Bench, speaking all in favour of the women. I should like to impress upon the Committee that throughout the mines of Cumberland the employment of women at the pit-brow is almost unanimously desired. The women who came to the Home Secretary were the honest representatives of their class, and I am sure that the right hon. Gentleman, who saw and spoke with them, is impressed with the reality of their appeal to him. I trust that the Government will abide by and stand to the last by the text of my right hon. and learned Friend the Home Secretary's Bill, and that they will accept no Amendment moved by hon. Members in the direction of the one that the Committee is now discussing.

Mr. A. H. BROWN (Shropshire, Wellington): I rise, Sir, simply to remind the Committee that the only question at present under consideration is whether the employment at coal pit-brows of women over 16 years of age is desirable, and whether young girls between 13 and 16 years of age should at all be employed in that occupation. The best way to get clear conceptions and definite ideas of this matter is to review what the House has already done for girls employed in other and similar capacities. The right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) has shown that in analogous industries, such as those comprised in the Brickfields Act, a good deal of good was done. By the Brickfields Act, the labour of young girls under 16 years of age was prohibited in brickfields. A little later the principle embodied in the Brickfields Act was subsequently extended to what is now the general law on the matter—the Factories Act. Now, you will find that both these kinds of labour hang and fall very much together. I think that we might fairly ask for a prolongation of the same principle now, and appeal to the Government to interfere, in order to prevent women about 15 or 16 years of age working at these things; and, in these circumstances, I do not at all see why this growing principle should not be applied now. The specific question

before us is limited to the case of girls under 16 years of age. When that is settled, the Committee will proceed to discuss the other general question of the desirability of this employment for women over 16 years of age. I am sorry and exceedingly regret that these two questions of the employment of women have been so mixed up. I would appeal to the Committee to remember that the question now is the specific one as to whether girls of tender age, or under 16, should be permitted to labour at these pit banks.

MR. BROADHURST (Nottingham, W.): I should like, Sir, to be permitted to say how very much I regret that the right hon. and learned Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) should not have abstained, even upon one occasion in his Parliamentary career, from wandering from the subject of discussion in order that he might make remarks and cast aspersions upon the character of some hon. Members of this House, and of misrepresenting their intentions. Of the entire groundlessness of all these efforts, I may safely leave it to the discretion of the Committee to judge. The right hon. and learned Gentleman taunts those who oppose his view of this question with not being the friends of the women, or the friends of the miners. He would seem to make it appear that his opponents are merely seeking to make a livelihood out of the unions of the miners. Well, all I have to say is this—that if my hon. Friends who represent the miners in this House could succeed in making one-tenth as profits for services rendered to the cause of labour as the right hon. and learned Gentleman's family have succeeded in making out of the labour in the mines it would be a pleasing matter, I am sure, to every person who has the honour of the friendship and personal acquaintance of the hon. Members, my Friends behind me. I was in hopes that I could congratulate in a general way the right hon. and learned Gentleman when he told us how, in his neighbourhood, coal-mine owners prevented women who were married — that is, those who had domestic duties to perform—from working at the pit-brow. We can understand that their prohibition to work at these collieries is a very proper thing, and, for my own part, I wish it could be carried to a far greater extent by other proprietors; but the fact is that such ameliorations are very exceptional. The privacy and comfort and domesticity of the life of families thus occupied is in the majority of cases destroyed. But, Mr. Courtney, I apologize for venturing to notice the personal insinuations made by the right hon. and learned Gentleman, and I regret that I paid even that attention to them. I should like now to be allowed to say these few words with regard to the main question in this discussion. I do not think it is right that we should be discussing the question as to whether this labour interferes with, or encourages in any way, immorality amongst the women engaged at this pit-brow work. Sir, my own opinion is that there are many customs and habits of society which are far more conducive to immorality than anything connected with the work of the women at the pit bank. I think that we might and ought to dismiss that part of the question altogether from our minds, and apply ourselves directly to the inquiry as to whether there is any desirability or necessity, from a national point of view, that this class of labour should be encouraged. I do not think myself that there is any such need or desire. My hon. Friend the junior Member for Northampton (Mr. Bradlaugh) is many years too late in the protest he has made against legislative interference. I am greatly surprised that he should have made any protest in the matter at all, or that he should have endeavoured to stem the tide which has covered our whole field of public policy by the legislation of past years. Only a very few years back this House sanctified in accordance with precedent the principle of intervention, and this House unanimously passed a law declaring that it was desirable, for the physical and moral health of women, that they should not work in factories more than 54 hours a-week. This intervention established by the Factories Act is a fact of enormous importance, and I believe that it is a circumstance of very great desirability, for no student of the labour question in this country would propose the repeal of this law, for so many years advocated by the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) and ultimately passed unanimously by a Conservative Government. But I think

that the Committee, in this discussion, should now confine itself to the consideration of the question of the labour of girls under 16 at the pit mouth. The right hon. and learned Gentleman the Home Secretary (Mr. Matthews) yesterday, supported by the right hon. Gentleman the Leader of the House (Mr. W. H. Smith), gave universal pleasure to the Committee, and gained universal approval and support from all parts of the country, by pursuing the very wise course he did with regard to the employment of boys under 12 years of age. ["No!"] Well, it was a case of the world against several hon. Gentlemen who, I am reminded by an adjacent Colleague, are coal-mine proprietors. But this is the point. I am strongly of the opinion that if the Government to-night will take the same course with regard to the Amendment which the Committee has under criticism, and agree to prohibit the labour of girls at the pit-bank under 16 years of age, that almost the whole nation will concur in approving of their action, and only a meagre or inconsiderable clique of persons will be found to condemn it. I make my appeal on the ground that it is our duty to have special consideration for the claims of young girls under 16 years of age, remembering the circumstances of the case. I regret that I have no sufficient scientific knowledge—the right hon. Member for the South Division of Leeds (Sir Lyon Playfair) might come to our aid—to impress on the Committee the very critical period of life passed by girls between 12 and 16 years of age. But I feel certain that if we had all the evidence which we could desire to-night on the physical part of the question, that the Members of this Committee would almost unanimously agree that it would be for the highest interest and advantage of this country in general that this tender age of girlhood should be protected by law from this excessive and heavy burden of unsuitable labour. We are all—or we ought to be—interested in making the homes of our working people more attractive in the future than they have been in the past. There is nothing which contributes so much to sobriety and frugality among the working population as to do your utmost in the training up the young women of the country in the habits of domestic labour and domestic economy. Between the ages of 12 and 16 these young girls would have four years of domestic experience, and experience that they would never forget, and which would be invaluable to them in after life, when they come to the position of wives and wives of households. I ask the Government to regard this question with care and sincerity; and if they do I am perfectly certain that the good judgment of the Committee will agree with me in the views which I have laid before them, and that Members will see that it is most desirable that we should do our very best to encourage domestic habits and domestic knowledge, for it is the possession of this knowledge and its practice that will do most for the working classes and their future welfare. This side of the question will, I sincerely trust, receive the immediate attention of the Government; and I venture to believe that solid support may be relied on from both sides of the House. I am sure that outside the House all parties would agree in congratulating the Government in a policy which guided them to such a wise, such a humane, and such a statesmanlike decision as that the physical and moral life of young girls under 16 years of age should be adequately protected.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I feel, Sir, that I ought to place before the Committee some important facts in regard to this matter; but, at the same time, I must say that my own opinion is that questions of this character should rather be left for decision to the judgment of the Committee than be affected by interference on my part. I will not disguise from the Committee for a moment that the opinion which I previously held about this subject I still retain, although I have listened with the utmost attention to the arguments which have been adduced by hon. Members. I must confess that I am aware that in a question of this sort very many Members are more qualified to give scientific information than myself; and though I would like to abstain from comment, there are some observations which have been made which seem to me rather to militate against than to support the position of hon. Members who advocate this Amendment. I have heard the speech of the hon. Gen-

tleman the Member for the Western Division of Nottingham (Mr. Broadhurst), who has just sat down; and I must say that I listened with some surprise to his statements with regard to the interference of this pit-brow work with the domestic duties of young women. I could not help asking myself whether the hon. Member, on the ground of keeping young women in the bosom of their families, would propose to exclude girls from working in factories for similar reasons? What has happened to make the hon. Member think differently, he who has always been a supporter of the legislation which put girls into factory work as early as 10 years of age? With regard to the provision which the hon. Member thinks so important, I cannot help asking myself what has happened since last year to make him take up this high line of domestic duties in reference to the girls working at the mines? Last year he put a Mines Regulation Bill on the Table of the House, in which the employment of women and girls in mines was left in precisely the same position as that in which it stands in this Bill. I did not accept the provision of the Bill wholly on his authority, although that, of course, had considerable weight with me; but I made the most complete inquiries in my power, and came to the conclusion that it was unadvisable to interfere with the liberty as to employment with this class of Her Majesty's subjects. I trust it will not be supposed that I am adopting the attitude of a *doctrinaire* with regard to this subject. If you were dealing with such a case as that of the children used by Italian organ-grinders for their own profit—children withdrawn from parental control, and hired for money by task-masters—or the case, as it was many years ago, of boys employed as chimney-sweeps, then I say, if a case were made out to the satisfaction of the House, you might justly interfere. But what facts are there before the Committee from which we can judge that these pit-brow girls will not have their best interests looked after by their parents better than by Members of this House? I have heard no facts adduced to show that any one of these girls between 16 and 18 years of age is not the inmate of a happy home, and I have had no evidence before me to show that any one of them was persuaded or forced into a course of life unfitted for her. As far as I can judge with regard to their physical condition, these girls are healthier and stronger, and in every way better fitted to grow into strong and healthy women, than any girls employed in factories or shops. Their mode of life in that respect is better than that of sempstresses and women similarly engaged in our large towns; and I repeat that I cannot find, with regard to this matter, anything to justify the interference of the Legislature. As to the question of the morality of the girls, some hon. Members, although not all who have spoken on this Amendment, have hinted at some doubts on this subject; but I can only say again that the result of my inquiries tends all the other way. The hon. Member for North-West Durham (Mr. Atherley-Jones) has had the courage to refer to the almost forgotten Report of 1856, and asked me to read it. I will read only two lines of that Report—

> "Your Committee have come to the following conclusion, which they have agreed to report to the House, viz., that the employment of women on pit-banks does not require legislative prohibition or interference."

The hon. Member opposite asserted that he was going to prove that the labour of the women was degrading to them, both physically and mentally. I listened for the proof that he promised very attentively, and what did it amount to? It was that the girls were employed in picking and screening, which made their hands dirty, and also engaged in pushing the tubs. For my part, I fail to see that there is anything in that inconsistent with the labour of other honest and laborious women who have to earn their living by the work of their hands. As to having to touch grease, I am obliged to say that, if that is degrading, many women in domestic employment must be in a like position. I think we are going on a false tack when we place ourselves *in loco parentis* with regard to these persons; and I do not think we know or can know what is best suited to the health and interests of the working classes of the country as well as they know themselves, and I would rather trust the girls to the care of their parents in the circumstances of life in which they are necessarily placed than undertake to control them by saying,

at this or that age—"You are strong enough, or otherwise, to set about earning your living." Those who are employed in the work in Lancashire are opposed to the principle of this Amendment, although I admit that there is a difference between the case of girls from 13 to 16 years of age and the case of women; but I am afraid that the result of its adoption would be to deprive these girls of the only employment which seems to be open to them in the districts in which they live, and might possibly doom them to other consequences detrimental to their chance of happiness in life. With regard to the deputation, I can only say that my mind was made up before I saw them. My opinion on the subject has been formed on the best evidence I could obtain. I have referred to the Reports of Committees which have sat to consider this subject, and I have made the best inquiries I could from Inspectors in daily communication with these girls; and the conclusion I have come to is that there is nothing to justify this House in interfering with an honest and healthy industry which, as far as I can learn, on the grounds alleged, has done no harm to any human being engaged in it, which has been selected in preference to other occupations by those who are the subject of this Amendment, and which has given satisfaction to their families, as well as the clergy and others amongst whom they live. I have, however, always desired to keep a perfectly open mind on this subject, and stated to the House my opinions with frankness. I desire now that the Division should be taken as between the hon. Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis) and my hon. Friend the Member for Wigan (Mr. F. S. Powell), and not as on a question to be decided for or against the Government. I venture to hope that this will not be treated as a Party question, but that we shall all vote as we think best, on the whole, for the interest of a class of the population who are not numerous, but whose needs and welfare certainly demand our attention.

MR. CHILDERS (Edinburgh, S.): The right hon. and learned Gentleman the Home Secretary has been good enough to refer to myself and the Bill which I brought in last year, and I will take the opportunity of saying a few words on the subject. I am bound to say that by the deputation which waited on me from the miners of the country, and brought certain specific proposals before my hon. Friend the Member for West Nottingham (Mr. Broadhurst) and myself last year, no mention whatever was made of the employment of women and girls; on the contrary, the subject was expressly left out from the suggestions of the deputation, and it was not until I put it to them whether the changes in the law which they proposed ought to include the non-employment of women and girls that they made any allusion whatever to the subject. Under these circumstances, now that a body of miners appear to have urged on the Home Office what they were silent about last year, I listened with great care to what the right hon. and learned Gentleman has said. I was much struck with the fact that the right hon. and learned Gentleman, in alluding to these two clauses, most carefully referred only to girls between the ages of 13 and 16. Clause 9 goes further, and refers to all girls above 10 years of age; and I assume from the remarks of the right hon. and learned Gentleman that he is disposed to alter the clause and leave out altogether Sub-section 1, and convert Sub-section 2 into a prohibition of the employment of girls under 13 years of age. Of course, that involves the entire recasting of the clause. The clause now would allow girls to be employed between the ages of 10 and 13; and, therefore, if we were to bring the clause into harmony with what the right hon. and learned Gentleman has said, we must leave out Subsection 1, and alter Sub-section 2, so as to prevent girls and boys under the age mentioned being employed at all. For my part I think that is a fair compromise, and if the right hon. and learned Gentleman confirms my view of his proposal I shall be prepared to support it.

SIR JOSEPH PEASE (Durham, Barnard Castle): I would call attention to the fact that we are getting rather muddled in this matter of girls and women. My right hon. Friend (Mr. Childers) proposes to prohibit girls under 13 being employed. I see on the Return there is but one who would come under his most proper suggestion. There is, to my mind, a great difference between the

employment of girls between 13 and 16 and the employment of women who are able to take care of themselves. When I look to the fact that in most mines neither girls nor women are employed, and that those mines are the best worked, and when I consider that the girls who are employed in mining are not their own masters, but are sent to the mines by their parents and guardians, and, it may be, even the Poor Law Guardians, then I think that this matter is one in which the State ought to interfere. The question is whether these girls are to be kept by our legislation from the education which they ought to have. In my opinion, the time has come when we may raise the standard existing among these girls by prohibiting the employment at mines of girls under 16 years of age. The case of women is very different. There are 4,000 women dependent on this work for their daily bread, and to deal with their case would be a much more serious and complicated matter; but on this I do not at this moment express an opinion. I hope the Committee will agree to the Amendment of the hon. Member for the Rushcliffe Division of Nottinghamshire.

MR. CREMER (Shoreditch, Haggerston): I am not surprised at the attitude of hon. Gentlemen opposite with regard to this Amendment, because those who have opposed it up to the present have been the Representatives of the wealthier classes, most of them, I believe, being coalowners. So far as we have been able to judge of this matter, the democracy of the country take an opposite view to that of hon. Gentlemen opposite, and are opposed to the employment both of women and girls at the pit-brow. Our experience as trade-unionists is that the employment of women and girls inevitably tends to the reduction of wages in respect to the whole community. That fact is borne out not only by our experience in this country, but by that of trade unions throughout Europe. Only yesterday a learned man who has largely interested himself in the condition of the working classes of Sweden stated to a Press interviewer, in answer to a question as to the effect of the employment of women on industry and trade, that—

"The number of girls employed in factories and shops is constantly increasing, and the result is to lower the rate of wages earned by the entire working community."

If that be the fact, it would be perfectly natural if those of us who are connected with the wage-earning class were to oppose the employment of women altogether. But we do not take that view of the matter, and are in favour of the employment of women on reasonable conditions. It is said by those who support the employment of women at the pit-brow that these have to provide for others as well as themselves. In a few instances that may be the case; but in the majority of instances it is not so. Every woman so employed supplants a man in the work; if women were not employed at the pit-brow men would be employed, and in the majority of instances the man is the bread-winner of the family, and has to provide apparel for other backs than his own; whereas, for the most part, women have to support only themselves. We may be asked what is to become of the women who are not to be employed? The complaint of late years has been that there are no good domestic servants to be had; there is a great demand for them, and it seems to me that the women in question might properly find employment in the direction I have indicated. But the result of their being employed at the pit-brow is to unfit them altogether from domestic employment. With regard to the deputation which waited on the right hon. and learned Gentleman, it is reported that at least one member of that deputation interrupted him in the speech which he made on the occasion. One woman said that she had some time since taken a situation as housekeeper at double the wages she could earn at the pit-brow; but that, after she had accepted the situation, she found the duties so irksome that she had returned to her former labour. It seems to me that this woman was unwittingly supplying us with a strong argument against the employment of women at the pit-brow. She had lost all liking for domestic duties, and would not be a suitable mate for any man, because she would probably make his home uncomfortable, and drive him to the public-house. The hon. Member for Wigan (Mr. F. S. Powell) has told us that he is in favour of perfect freedom of contract; but we find that the freedom for which the hon. Member sighs is not enjoyed, at any rate, by the mining population in Cumberland,

for we are told by the right hon. Member for Whitehaven (Mr. Cavendish Bentinck) that the employment of married women is absolutely prohibited at the pit-brow. If you permit one class of women, I ask why you do not permit the other class to be employed? It is clear that there is a difference among hon. Members opposite even with regard to freedom of contract. Hon. Gentlemen who have a vested interest in perpetuating the existing state of things are naturally anxious to get a Division that will settle this question for a few years; but there are nine of us on these Benches who will go into the Lobby to vote against its continuance. I would, in conclusion, ask whether, if any hon. Member opposite were going to seek a female companion, he would go to the pit-brow for the purpose of finding one, and I ask hon. Gentlemen opposed to this Amendment whether they would like their wives, daughters, or sisters to be engaged in this brutalizing occupation at the pit-mouth? I say that what they would object to in the case of members of their own families they ought not to encourage in the families of our mining population. I shall no longer interpose between the Committee and the Division for which they are so anxious; and, for my own part, I will say that no vote of mine in this House has been more cordially given than that which I am about to record in favour of an Amendment to prevent the employment of women and girls at the pit-brow.

Mr. JACOB BRIGHT (Manchester, S.W.): I dislike nothing so much as an attempt to pass an Act of Parliament that would have the effect of taking employment away from the people. I have listened to this discussion, and, without speaking disrespectfully, I must say I have not heard anything in the shape of good argument in support of this proposition. Before I could pass this clause, I should require to hear arguments fifty times stronger than those which have been introduced into this discussion, and I very much agree with what has been said by the right hon. and learned Gentleman the Home Secretary. Then, with regard to the employment of children of the ages now under discussion, there are thousands of children employed throughout the country, and Lancashire, with its millions of population, would certainly be against any change of the kind proposed; and when my hon. Friend on my left says that the opinion of the country is in favour of taking away this employment from women, I must say that, so far as Lancashire is concerned, public opinion is in favour of the proposal of the Government.

Mr. CONYBEARE (Cornwall, Camborne): I rise at the instance of some hon. Friends on these Benches to state some of the facts relating to the employment of women in Cornwall. There are 1,300 women who are employed in Cornwall, in work analogous to that which we are now considering. It is, perhaps, not so hard or so dirty; but these women are employed in very much the same way as the mining women are employed in other parts of the country—they have to wheel barrows full of material, use the shovel, and lift various weights. I am bound to say, however, that the universal feeling among the women is that they would infinitely prefer working in this way than going into domestic service. This appears to me to be a fact bearing on the question we are discussing; and without entering into any of the arguments which have been advanced of one kind or another, I merely rise to testify to the views of women in my own constituency.

Mr. WALLACE (Edinburgh, E.): It is with great reluctance that I am compelled to vote against what is the general tendency of my opinion on the subject of complete freedom of labour. I sympathize with the opinion of the hon. Member for South-West Manchester (Mr. Jacob Bright) on the subject of freedom of labour. I quite admit, also, the force of the arguments used by the hon. Member for Northampton (Mr. Bradlaugh) against interference with the freedom of individuals in selecting the labour to which they address themselves, and by which they are to be supported; but I would ask the hon. Member whether he would allow women to enlist in the Army, simply because they wanted to exist? I put that, of course, as an extreme illustration; because all proposals if they are good will bear an extreme test, and every question of this kind must be argued on its own merits. I do not feel myself sufficiently qualified to pronounce an opinion as to whether this pit-brow work is suitable or not for

women; but I am assisted by a more authoritative opinion than my own, and an opinion by which, on general political grounds, I am always ready to abide. I give my vote for the Amendment simply because I have learnt, from the discussion which has taken place, that the mining community in this country has with practical unanimity decided against the employment of women in mining work. We have heard the Representatives of 600,000 miners oppose the employment of women. I cannot expect hon. Gentlemen opposite to agree with me; but I am one of those who accept the views of the great masses of the people in questions on which they are best informed and in which they are most deeply interested. If they say that they would rather sacrifice what they would gain by having their women so employed than lose the chance of a certain amount of elevation and refinement for their families, I, for one, conceive myself bound by the political principles which I hold to acquiesce in the judgment which they pronounce. I have no knowledge of the circumstances, as I have said, affecting this social question; but having heard the Representatives of the whole mining community speak with practical unanimity on this question, I feel that I am no more at liberty to fly in the face of their opinion than I would be to go against the opinion of Irish Members on the question of Home Rule, and for that reason, and no other, I shall give my vote in favour of the Amendment before the Committee.

MR. PICKARD (York, W.R., Normanton): I am here to represent the men of a mining division of Yorkshire, and I say that those men are against the employment of women in mines. We have heard something to-day about the Lancashire miners having no Representatives here to speak and vote on this question; but I beg to point out that if they had Representatives in this House they would have spoken and voted in exactly the same way as I am about to speak. There is only one association, out of 18 in that county, which has passed any resolution in favour of this part of the Bill. It is a significant fact that the members of the deputation did not pay their own expenses, and I ask the right hon. Member for Whitehaven to tell us who it was that called the meeting he has referred to, and who paid the expenses; and why it was that the fathers of the girls did not come with them to London? We do not want to mix up the question of wages with this question. This is a matter affecting colliery owners and not workmen. It is a question which must be determined by owners and not workmen. The wage question does not in any way affect the workman. We know that employers can get woman-labour cheaper than they can man-labour; but that does not affect us at all, and we desire to repudiate the suggestion that it has, in our minds, any connection with the question. I can tell the Committee that Scotland, as well as Lancashire, is generally opposed to woman-labour and girl-labour.

MR. CAVENDISH BENTINCK (Whitehaven): The expenses were paid by a subscription, after a public meeting composed of persons of all classes and shades of opinion.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I rise to endorse emphatically what has been been said with regard to the opposition in Scotland to the continuance of female labour in mines.

MR. BURT (Morpeth): I think we have had an exceedingly useful discussion, and I have been very much struck with the fact that the arguments which have been used in support of the existing system bear an extraordinary similarity to those used in 1842 for the maintenance of female labour under ground. This system seems to me to be a survival of the barbarous system of that time, and it is notably the fact that in the districts where females were then employed under ground they are now employed, to a large extent, at the pit-mouth. With reference to the remarks of the right hon. and learned Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) on the Miners' Conference, I wish respectfully to inform him that that Conference was convened to deal with other than the wages question, and that, so far as we are concerned, we have never considered that point, as regards the miners, in the slightest degree in this matter; and I think it would conduce to the better tone of our debate if there were an absence of any such imputations as have been made. It would be quite as true, and possibly more so, to say that hon. Gentlemen opposite care nothing for the moral condition of the women, and that

all their desires were fixed upon getting cheap labour. I do not, however, believe that any of these charges are true, but that we are, on both sides, guided by higher considerations. I listened, with great satisfaction in some respects, to the speech of my hon. Friend the Member for Northampton (Mr. Bradlaugh), and we quite admit that it is incumbent on us to make out a good case against the existing system. With regard to the labour being degrading, I do not believe that there is degradation in any useful labour. Idleness is degrading, but useful labour never is. I maintain, nevertheless, that there is something in connection with this special work which makes it very unfitting for girls and women. A portion of the labour is of a very arduous kind, such as the moving of trucks and the pushing of tubs; and there is no exaggeration in saying that, in many cases, the girls have to push tubs containing from 10 to 15 cwt. Another portion of the work is less arduous, such as cleaning the coals; but regard must be had to the effect of the whole occupation on the domestic condition of the mining population, and especially as regards the women themselves, and I have come to the conclusion that it is very desirable that this system should be abolished. When the deputation waited on the Home Secretary, there was one impulsive lady who could not wait until the right hon. and learned Gentleman had finished his statement. She declared that she had left pit work and gone into domestic service, and that as she could not stand the monotony of that kind of service she had gone back to the pit-head. This is a typical instance of the effect of the work in spoiling women for domestic life. If that woman should marry, she will find it very difficult to adapt herself to the restraints which it imposes and become a model wife. There is another point to which I ask the attention of the Committee, and which I shall state in a single sentence. It is difficult to put it without putting it offensively; but, in connection with the majority of our pits, there is an absence of arrangements for securing the decencies of life, and it is exceedingly unfitting that women, men, and youths of all ages should be mixed up together. Under the circumstances, I do trust, if the Committee should sanction the existing system, that it will say that something shall be done to abolish the arrangements I have alluded to. I should be glad if we were to take this as a test Division on the whole question, and, for my part, I shall be perfectly satisfied to forego my claim to move the Amendment in my name. I understand that we take a Division on the question of the girls under 16, because there is a great difference between the case of those below and above that age.

Mr. W. ABRAHAM (Glamorgan, Rhondda): I am proud to inform the right hon. Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) that I am sent here by the miners of the district I represent, and that I am paid by them for being here. There are many constituencies who are obliged to be represented by Gentlemen who can pay their own expenses; probably there are few which would care to pay their Members. Allow me, then, to state the opinion of the men whom I represent. That opinion is distinctly against the employment of girls and women about the mines. It has been said here that the work is not hard. In order to understand this thoroughly, it might, perhaps, be necessary to go and see the work done, and probably the hardness of the work depends on the district in which the women and girls are employed. My experience is that when an employer of labour goes to see his factory or pit-head, some extra preparations are made. Hon. Gentlemen have probably not seen the last of this evil. We have heard of young girls pushing tubs of seven and eight cwt.; but I say that they are fortunate in the districts where they have only to push that weight. Hon. Members should go to other parts and see young women and young men pushing together, quadruped fashion, trams of far heavier weights, and then let them say whether they would like to see their daughters and sisters doing the work. Then there is the question of sanitary arrangements, the delicacy of which is probably the reason why several hon. Members have not treated this as a question of morality. But let hon. Members go to the pit tops of some parts of the country and see young men and young women going together, for the want of proper conveniences, to the side of the hedge or the brook, to serve the needs of nature, and then say

whether they would like to see their sisters or daughters having to do the same thing. Allow me to say that women labour at the tubs on pit banks is degrading and immoral, and I make that statement without fear of contradiction. Of course, it does not matter much who paid for the deputation which came to London, although, perhaps, it would be interesting to know who paid for the photographs which have been sent to hon. Members. If it was worth the while of hon. Gentlemen to have these distributed, they might at least have made the picture complete. A few objects are necessary to make it a true representation of the pit-bank—there is no tram here, and the oil can, the grease pot, and coal dust are not here. However this Amendment is treated here to-day, the system of employment of women is doomed and will have to go. It is only a question of time. In North Staffordshire, in 1883, there where 1,142 women employed about the mines, and now there are only 320. In South Staffordshire there were 1,243, and that number has been largely reduced. The number has fallen very low in South Wales also; there were 820 females employed about the collieries in South Wales 12 years ago, now there only 437. The total number of women employed 12 years ago was 6,899, and that number has been reduced to 4,131. This, as I have said, shows that public opinion is against the system, and that it will have to be abandoned.

SIR HENRY TYLER (Great Yarmouth): I shall certainly vote against this Amendment. The women who work upon the pit-brows do not, as a matter of fact, suffer in health or morals in consequence, and their dress is well adapted for the work they have to perform. They are among the most moral people of the mining districts. When I was visiting collieries with which I am connected in South Wales a few weeks ago I made particular inquiry on the subject, and I was told that if these women were deprived of this employment, it would be at far more risk to their morals than their continuance in such employment.

Question put.

The Committee *divided*:—Ayes 188; Noes 112: Majority 76.—(Div. List, No. 255.) [8.5 P.M.]

MR. J. E. ELLIS (Nottingham, Rushcliffe): I now rise to move to leave out "ten" in page 2, line 32, and insert "twelve."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I agree to this Amendment, which follows upon what we carried yesterday.

Amendment proposed, in page 2, line 32, to leave out the word "ten," and insert the word "twelve."—(*Mr. J. E. Ellis.*)

Question proposed, "That the word 'ten' stand part of the Clause."

MR. MUNDELLA (Sheffield, Brightside): Before you put the Amendment, Mr. Courtney, I should like to ask the Home Secretary whether he cannot raise the age at which girls may be employed? I certainly do think that the labour of these girls of 12 years of age is really in excess of the demand we ought to make upon them. This work is performed equally by boys and girls, and I appeal to the right hon. and learned Gentleman to make a distinction in the case of girls by raising the age at which they can be employed. He has a precedent for that in the Brickfields Act, in which the age of girls is fixed at 16. I think he might raise the age of girls in this case to 14, and I would suggest that as a compromise.

THE CHAIRMAN: That may be considered on Report; but I think the result of the last Division prevents any distinction being made at this point between boys and girls.

MR. MATTHEWS: The clause contemplates similar regulations for boys and girls, and to accept the right hon. Gentleman's suggestion would involve the re-modelling of the clause. I will, however, consider the point between now and the Report.

MR. BRADLAUGH (Northampton): I trust the Government will re-model the clause; it would certainly be worth the trouble to do so.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): The Government cannot, as the Chairman has already stated, make the alteration now; but between this and Report the question shall be considered.

Question put, and *negatived*.

[*Second Night.*]

Question, "That the word 'twelve' be there inserted," put, and *agreed to.*

MR. WOODALL (Hanley): I think the attention of the right hon. and learned Gentleman the Home Secretary was called yesterday to the anomaly which is intended to be met by the Amendment of which I have given Notice. I propose to omit the word "boy" in line 4. There is absolutely no restriction in the Bill as to the employment of boys under ground during the night. I propose that boys shall be allowed to be employed above ground during night shifts as during day shifts. It is well known that they may be very usefully and very properly employed in labour that is quite suitable and not heavy, such as looking after safety lamps and driving horses and that kind of thing above ground. I think, from what I gathered from the right hon. and learned Gentleman (Mr. Matthews), he admits there is an anomaly in the Bill in respect to the labour of boys under ground and above ground.

Amendment proposed, in page 3, line 4, to leave out the word "boy."—(*Mr. Woodall.*)

Question proposed, "That the word 'boy' stand part of the Clause."

MR. J. E. ELLIS (Nottingham, Rushcliffe): I do earnestly hope the Government will not accept this Amendment. This system of juvenile labour during the night is very much to be deprecated. The hon. Gentleman (Mr. Woodall) has said that boys might be employed in looking to the safety lamps; but surely safety lamps are just the very things that boys should not be allowed to meddle with.

MR. MATTHEWS: The principle upon which I have proceeded in the Bill is to disturb the existing law as little as possible, unless some strong reasons for disturbing the existing law can be shown. This clause prohibiting boys, girls, and women from being employed at night has now been in operation for very many years, and no complaint has been made against it. I really ask the hon. Gentleman (Mr. Woodall) whether it is worth while to disturb clauses which have been accepted generally by the trade, and by the working classes themselves without objection?

MR. WOODALL: Am I right in understanding that boys can be employed under ground during night shifts, and are precluded from being employed on the bank?

MR. MATTHEWS: That is an anomaly which arises from the nature of the duties of boys under ground. Boys under ground are there to aid the men; and, therefore, it is found convenient that they should not be tied down in respect to the time at which they may work.

MR. WOODALL: I have merely pointed out what appeared to me to be an absurdity in the Bill. I beg leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. J. C. BOLTON (Stirling): Mr. Courtney, I trust the Home Secretary will accept this small Amendment, which is to leave out the word "two," in line 6, and insert "four." The object of this Amendment is to enlarge the hours within which work may be done on the Saturday, without increasing by a single moment the hours of labour. In some districts great inconvenience has been felt in consequence of the necessity of closing, under all circumstances, the labour of the mines at 2 o'clock on a Saturday afternoon, and this proposal is intended to give the masters and men the power of extending the time of labour on Saturday from 2 o'clock to 4 o'clock. The work must begin at a later hour that is to be continued till 4 o'clock, so that the hours of labour will not really be increased. The circumstances of all collieries are not alike, and it has been found in some districts a great inconvenience to be obliged to close a pit at 2 o'clock on Saturdays. I, therefore, beg to move the Amendment which stands in my name.

Amendment proposed, in page 3, line 6, leave out "two," and insert "four."—(*Mr. J. C. Bolton.*)

Question proposed, "That the word 'two' stand part of the Clause."

MR. FENWICK (Northumberland, Wansbeck): I understand the object of the Home Secretary, in inserting "two," is to give miners a short holiday on the Saturday, and I hope the right hon. and learned Gentleman will abide by the Bill in this respect.

MR. TOMLINSON (Preston): As I have an Amendment on the Paper, not going quite so far, but going in the

same direction as the one now under consideration, perhaps I may be allowed to say a word on the subject. I hope it will not be supposed that in putting down my Amendment I was in any way desirous of increasing unduly, or without real cause, the time to which work may be continued on Saturdays. There is no suggestion to increase the aggregate hours of labour during the week; it is only to give elasticity in the distribution of these hours. My hon. Friend opposite (Mr. Bolton) spoke of the inconvenience which arises from such a system as the present one. If the Committee will allow me, I will state to the Committee what the inconvenience, which is an increasing inconvenience, is. Inconvenience arises very frequently where the coal has to be shipped. Since 1872 the coal trade has been transferred from sailing vessels to steam vessels, which are becoming daily of larger size. It is necessary that no delay should take place in the loading of vessels, because if the loading of a vessel is not completed on a Saturday, the vessel has to remain on demurrage until the Monday. In mining districts from which coals are sent to ports, the present law compelling the closing of mines at 2 o'clock is felt to be a serious inconvenience. I would not urge the alteration of the hours unless the inconvenience were seriously felt. I do entreat hon. Members who desire, as I think we all do, that the coal trade should prosper, to give us fair consideration; if they cannot support 4 o'clock, let us have the elasticity of an extra hour. Where shipping is not in question, there is no disposition whatever to prolong Saturday labour; where shipping is not in question, collieries very frequently close on the Saturday about 12 o'clock. It is really in the interests of the trade that we ask the Committee to allow us a little more elasticity in the distribution of the hours of labour at collieries.

MR. MUNDELLA (Sheffield, Brightside): I only rise to ask the Home Secretary to stand by his Bill. I think that in this instance he would do well to do so, and it will be greatly to the convenience of the working classes even in the district which the hon. Member (Mr. Tomlinson) himself represents. The families of the working classes generally have a half-holiday on Saturday; it is the only time in the week when the working classes make excursions and have an opportunity of enjoyment. Take Lancashire, for instance. The Lancashire factories close at 12 or half-past 12 o'clock on Saturdays. I think that there is scarcely any factory open after half-past 12 o'clock on a Saturday. The object is, as stated, to give the miner a half-holiday, or as near to a half-holiday as possible, so that he may enjoy himself with his family. Many of his children work in the mills, and if the provisions of the Bill in this respect are allowed to stand, families will be able to enjoy the half-holiday together. I hope the Home Secretary will not agree to change the hour of closing to either 3 or 4 o'clock.

MR. BARNES (Derbyshire, Chesterfield): Many collieries in Derbyshire close at half-past 12 o'clock on a Saturday. I know many men who like to work five full days and to have a complete holiday on the sixth. I trust that nothing will be done to prevent the Saturday half-holiday, which I consider very conducive to the good health of the men.

MR. BRADLAUGH: Does the hon. Member for Preston (Mr. Tomlinson) wish the Committee to understand that the employment of boys between 2 and 3 o'clock on a Saturday can really make such a difference in the loading of a ship some distance from the colliery as to avoid demurrage on the Sunday? I will not venture to put my experience against that of the hon. Gentleman, but I greatly doubt whether——

MR. TOMLINSON: I know that the compulsory closing of collieries at 2 o'clock on Saturday does very often cause inconvenience and loss. With regard to the holiday question, I can assure the Committee that colliers in Lancashire very frequently have the whole of Monday to themselves.

MR. BROADHURST (Nottingham, W.): May I appeal to the hon. Gentleman the Member for Stirling (Mr. Bolton) not to press this Amendment? I know he has no intention whatever of increasing the number of hours worked in the week; he only wishes to extend liberty of action on Saturday; but I am certain that the power proposed to be given would be viewed with the gravest suspicion by the whole of the mining population. I ask him to withdraw the Amendment, as he will see, I think, that

the evident sense of the Committee is adverse to it. I do not think there is much in the argument of the hon. Member for Preston (Mr. Tomlinson). I do not see that the employment of a few boys and girls for an extra hour on the Saturday can influence the loading of a ship some distance away with coals in the slightest degree.

MR. MATTHEWS: I do not think the hon. Gentleman the Member for Preston (Mr. Tomlinson) meant that these people should be engaged in loading ships, but engaged in a series of operations connected with the loading of ships. I think, however, that if the miners know that work must stop at 2 o'clock on Saturday they will endeavour to forward it as much as possible. Much as I should like to do anything agreeable to the hon. Gentleman (Mr. Bolton) I think I must oppose this Amendment.

MR. J. C. BOLTON: It is evident that the opinion of the Committee is against the Amendment I propose, and in asking leave to withdraw it I will merely explain that I did not propose it on my own judgment, but that I proposed it at the request of those interested in it, of those miners and masters who, in some districts, find inconvenience has arisen from the present arrangement.

Amendment, by leave, *withdrawn.*

MR. WOODALL (Hanley): I beg to move the omission of the word "boy" in line 21. Reasons have been given to the satisfaction of the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) why girls and women should be precluded from pushing railway waggons and from like work. Surely the arguments which weighed with the right hon. and learned Gentleman in their case can hardly be held to apply to boys. At any rate, one would like to be assured that boys are to be permitted to look after horses and points, and assist in the work of moving waggons.

Amendment proposed, in page 3, line 21, to leave out the word "boy."—(*Mr. Woodall.*)

Question proposed, "That the word 'boy' stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): To be frank with the House, I must say I put in this sub section with the greatest reluctance. I dislike, as I have already said, to fetter any species of labour, and I put in this sub-section only at the suggestion, strongly expressed, of the Inspectors. On the other hand, I wish I could get a little light upon this point. Many of the friends of the women say that this sort of thing occurs when women are employed in screening and in packing coal in railway waggons. A woman will pack or arrange coal in the front part of a waggon, and then she, by means of a lever, moves the waggon to bring the back part of it under the shoot. If you insist on calling in a man for that occupation, you will have to keep a man for this occupation solely. He will only be employed every now and then, and will be a great expense to the owner. The employment of this man would therefore be an undesirable adjunct to the colliery, and an unnecessary expense to the coal owner. I do not know that the loading of waggons is extensively carried on by women. This is a new clause to which I am by no means wedded, and I should like to have the assistance of Members who have had experience in the working of collieries. I am told by Inspectors that they consider that the employment of these people should be prohibited, because it leads to accidents and to injuries; but I put it to the Committee whether the prohibition will not do more harm than good? As far as I am concerned, I cannot discover that the masters have such power over the men that they can impose on them conditions of undue severity. I doubt whether a boy, or girl, or woman can be compelled to work under conditions that they do not like. They can refuse to do work if it does not suit them; but I should be grateful to receive information from those who are personally acquainted with the subject, and who have legal knowledge.

MR. FENWICK (Northumberland, Wansbeck): I may inform the Committee that in the North of England we have no boys moving waggons; invariably men are kept for that purpose. It must be remembered that one waggon generally pushes another out, and that the banksman arranges the tips in such a way that two waggons are generally filled at one time, so that a man may be kept to remove the waggons without any undue expense to the employer.

SIR JOSEPH PEASE (Durham, Barnard Castle): The object of all this legislation is to bring the bad collieries up to the mark of the good collieries. In no good colliery is a boy employed to remove waggons. It would be dangerous to put a boy under 16 years of age to move waggons; it would be only in badly arranged collieries that a boy would be told off to attend to the moving of waggons.

MR. WOODALL: I must protest against the idea that these Amendments of mine are suggested in the interests of badly-managed collieries. They have been most carefully thought out by men who have certainly as good a character for their care for their people and the management of their property as any men to be found in the North of England or elsewhere.

MR. BARNES (Derbyshire, Chesterfield): All good railway shunts are now constructed with a gradient, and it would be dangerous to employ a boy or a woman to manage them.

MR. PAULTON (Durham, Bishop's Auckland): I am surprised to hear that the right hon. and learned Gentleman the Home Secretary has any doubt about this sub-section. I can hardly conceive it possible that he should entertain any doubt if he has read the reports of Mr. Hall and other Inspectors. Mr. Hall in his Report points out that there have been several fatal accidents caused by the moving of railway waggons, and he also points out that in some cases women and young boys are asked or allowed to help in this dangerous work. I sincerely hope that the right hon. and learned Gentleman the Home Secretary will adhere to the provision which has been inserted in the Bill.

MR. BRADLAUGH (Northampton): I will not trouble the Committee for more than a moment in appealing to the hon. Gentleman (Mr. Woodall) to withdraw his Amendment. I am in the habit of being consulted by poor folk in reference to accidents of this kind, and I have had more cases of accidents brought before me in connection with waggons running down gradients than of any other kind connected with such work. Great personal injury and loss of property have resulted from inattention in the moving of waggons on pit banks, and I trust that the right hon. and learned Gentleman the Home Secretary will adhere to the sub-section prohibiting boys and women engaging in this most dangerous and arduous work.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I desire to add my appeal to the hon. Gentleman to withdraw his Amendment. I think it would be better that the clause should be allowed to stand as at present.

MR. WOODALL: I shall most readily accept the suggestion that has been so courteously made, provided that the drafting of the clause shall not preclude the employment of boys in such work as is admittedly unobjectionable — such work, for instance, as attending to horses on the pit bank.

MR. W. H. SMITH: I think the words of the clause effectually guard against any possibility of that kind. My right hon. and learned Friend the Home Secretary will certainly see that the prohibition does not extend to such matters as the hon. Gentleman has in view. The clear meaning of these words is that no boy, girl, or woman shall be employed in moving railway waggons.

MR. WOODALL: On that understanding, I ask leave to withdraw my Amendment.

SIR JULIAN GOLDSMID (St. Pancras, S.): I certainly think that no boy ought to be allowed to drive a horse which moves railway waggons. In consequence of boys being left in charge of horses engaged in less arduous work than this accidents frequently arise.

Amendment, by leave, *withdrawn.*

MR. BURT (Morpeth): I now beg to move to insert after the word "waggons," in line 22, "pit tubs, trams, or skips." My only object in moving this Amendment is to extend the valuable provisions of this sub-section a little further.

Amendment proposed, in page 3, line 22, after the word "waggons" to insert the words "pit tubs, trams, or skips." —(*Mr. Burt.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think the hon. Member for Morpeth (Mr. Burt) must feel that it is impossible to accept this Amendment. As I under-

stand, the hon. Member wants boys, girls, and women to be prohibited from moving a pit tub, or tram, or skip, however light or easy the moving of one of these articles may be, or however well within the strength of a boy, girl, or woman. This sub-section is really limited to dangerous employment.

MR. FENWICK (Northumberland, Wansbeck): The object of my hon. Friend the Member for Morpeth (Mr. Burt) in moving this Amendment is to secure that women and boys shall not be employed in what is obviously hard labour, and the moving of tubs laden with mineral would undoubtedly be arduous employment for any woman to be engaged in. The object of the Amendment is to secure that women shall not be compelled to perform this very hard duty.

MR. PICKARD (York, W.R., Normanton): The attending to cages or to tubs or trams is a very dangerous piece of work, in which, I think, no woman or girl ought to engage. In our opinion, if women are to be employed on pit banks, they should do the light work, leaving the heavy, arduous, and dangerous work to the men. I trust the right hon. and learned Home Secretary will accept this Amendment.

MR. TOMLINSON (Preston): Collieries have been worked sufficiently long in this country for us to take the occurrence of accidents as a test of danger. The absence of such accidents shows that women may safely be entrusted with the work of moving tubs and the like. Accidents from the moving of tubs about pit banks are of very rare occurrence, and therefore I trust the right hon. and learned Home Secretary will not accept this Amendment.

MR. BARNES (Derbyshire, Chesterfield): The Amendment of my hon. Friend the Member for Morpeth (Mr. Burt) will practically prevent a woman from moving a tub, whether it is full or empty. I hope the hon. and learned Gentleman the Home Secretary will allow the clause to stand as it is.

MR. J. E. ELLIS (Nottingham, Rushcliffe): The hon. Member for Morpeth would perhaps not object to insert the word "loaded." If he will do that, I will very gladly support the Amendment.

MR. BURT: Certainly, the insertion of the word "loaded" would meet my view of the case. It is with the object of leaving the hardest work to the men that I have proposed this Amendment.

COLONEL BLUNDELL (Lancashire, S.W., Ince): The Amendment virtually revives a question already decided. It is not really the case that the pushing of these tubs is hard labour, because they are only pushed on a perfectly smooth surface. It is not right that a tub should be taken from the cage by women; but the pushing of the tubs on the smooth surface at the pit top is not too hard labour to be entrusted to women.

Question put,

The Committee *divided*:—Ayes 71; Noes 124: Majority 53.—(Div. List, No. 256.) [10.15 P.M.]

Question proposed, "That Clause 8, as amended, stand part of the Bill."

MR. MUNDELLA (Sheffield, Brightside): Before the clause is agreed to, I should like to make an appeal to the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) in reference to some provisions which I think ought to be made. We have already decided, or we are about to decide, that girls and women shall be employed about mines, and I take it that there will be no desire on the part of the Committee, after the opinion which has been expressed, to alter that decision; but I think the right hon. and learned Gentleman must feel that the provisions which are made in respect to women employed in the factories and workshops all over the kingdom ought to be made also in respect to women employed about mines. I think he will agree with me that there should be those conveniences for decency which are provided in connection with all other branches of labour, and that the Mining Inspector should satisfy himself that proper and decent provision in this respect is made. I have not prepared an Amendment, but I ask the right hon. and learned Gentleman at some future stage of the Bill to endeavour, as I am sure he can very readily, from the provisions of the Factory and Workshops Acts, to frame some clause which shall ensure the common decencies of life.

MR. TOMLINSON (Preston): I am really surprised that the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) should have made these remarks, because

in all the collieries with which I am acquainted there is complete and ample provision for decency. If there is not in all cases, I quite agree that there ought to be.

COLONEL BLUNDELL (Lancashire, S.W., Ince): There can be no objection to the insertion of a clause providing that the Inspector shall satisfy himself that provision such as the right hon. and learned Gentleman has mentioned is made.

MR. MATTHEWS: I will undertake to consider the matter.

MR. ARTHUR O'CONNOR (Donegal, E.): This clause, Mr. Courtney, is intended to protect boys, girls, and women as regards the conditions of their occupation. But, unfortunately, though every consideration seems to be given to the boys, girls, and women engaged about mines in this country, the last four lines of the clause go to deprive boys, girls, and women in Ireland of the advantage of the Saturday half-holidays. As a matter of fact, there are no longer any women or girls employed on the coal-pit banks in Ireland. I am acquainted with a good many collieries. A large number of the Leinster coal pits are situated in the constituency which I had the honour to represent in the last Parliament but one, and I can answer from personal observation that there are no women employed on the pit banks in that part of the country. I believe there are no women employed on the pit banks in any portion of Ireland, so that this reservation is altogether without effect so far as females in Ireland are concerned. Now, with regard to the boys there is, so far as I can see, no reason whatsoever why boys in Ireland who happen to be employed about coal pits should be deprived of the advantage of the Saturday half-holiday. The hon. and learned Gentleman the Member for Preston (Mr. Tomlinson) in urging that mines might be kept open on a Saturday for an extra hour did so to prevent any delay in the loading of vessels. Possibly the remarks of the hon. and learned Gentleman may hold good, so far as Great Britain is concerned; but there are no coal mines on the coast of Ireland, with one exception in County Antrim; and, therefore, I ask the Committee to expunge the last four lines of this clause.

THE CHAIRMAN: The Question is, "That the clause, as amended, stand part of the Bill."

MR. ARTHUR O'CONNOR: With submission to you, Sir, I should like to say, I rose before you put the Question. The right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) stood between me and you, otherwise I should have called your attention to this matter at the time.

THE CHAIRMAN: In that case the hon. Member should have risen to Order. The right hon. Gentleman the Member for Sheffield spoke to the clause.

Question put, and *agreed to*.

Clause 9 (Register to be kept of boys, girls, and women above ground).

MR. PAULTON (Durham, Bishops Auckland): I hope the Government will have no objection to the very small Amendment I now propose. It would be a satisfaction and a convenience to the workmen if these words are inserted. I feel confident the Government can urge no reasons against the acceptance of the words, and therefore I will not waste the time of the Committee by enlarging upon the advantage of their adoption.

Amendment proposed, in page 3, line 36, after "situate" insert "and to any workman employed in the mine."—(*Mr. Paulton.*)

Question proposed, "That those words be there inserted."

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): Much as I admire the anxiety of the hon. Member to give the workmen every possible opportunity of checking the administration of the law in this respect, I feel it is hardly fair to compel an owner to make public so much of his private affairs as this Amendment would entail. So far as the Government can learn there is no grievance to justify the proposed interference with the management of mines.

MR. PAULTON: I may point out that we have been legislating with respect to the age boys may be employed in mines, and that it may occasionally happen that parents may not quite correctly represent the age of boys. In the interest of the workmen it is desir-

able that matters of this kind should be investigated. I can see no possible way in which the interest of the employers can be injuriously affected by the addition of these words. If a workman desires to obtain the information he can do so by personal inquiry, which may entail considerable trouble and loss of time. This would be saved if he were at liberty to examine the register.

MR. J. E. ELLIS (Nottingham, Rushcliffe): This is not a very important Amendment, as the hon. Gentleman the Member for Bishop's Auckland (Mr. Paulton) has himself stated; but I cannot see the slightest objection to the insertion of these words. The giving of this information cannot do any harm. It is certainly reasonable that if a workman inquires at the office he should be allowed to see the register.

MR. TOMLINSON (Preston): In this Amendment a very wide provision is involved. The only person who can be interested in seeing the register are the parents or the guardians of the boys employed, and if the Amendment were limited in that sense it might well be accepted. But it certainly is too wide in its application as it at present stands.

MR. PAULTON: I shall be very glad if the Government will accept the Amendment, subject to the modification suggested by the hon. and learned Gentleman.

THE CHAIRMAN: Perhaps the most convenient course would be for the hon. Member to withdraw the present Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 3, line 36, after "situate," insert "and to the parent or guardian of any boy or girl employed in the mine."—(*Mr. Paulton.*)

Question proposed, "That those words be there inserted."

MR. STUART-WORTLEY (Sheffield, Hallam): This Amendment has been rather sprung upon us. I think it would be better if the hon. Gentleman were to withdraw the Amendment altogether, and by Report we will consider the matter.

MR. PAULTON: I have no desire to occupy the time of the Committee upon the matter; but I must confess I cannot see any reason why the proposal should not be accepted.

MR. TOMLINSON: While I suggested the new form of words, I am not prepared to say it will be found altogether satisfactory.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 10 (Penalty for employment of persons in contravention of Act); and Cluse 11 (Payment of school fees out of wages), severally *agreed to.*

Wages.

Clause 12 (Prohibition of payment of wages at public-houses, &c.), *agreed to.*

Clause 13 (Payment of persons employed in mines by weight).

MR. FENWICK (Northumberland, Wansbeck): I beg to omit the words in line 1, page 5, "unless the mine is exempted by order of a Secretary of State." My object in moving this Amendment is to remove as far as can be the possibility of miners whose wages are determined by the amount of their produce having their wages determined by anything like what may be termed a system of guess-work. The words "unless the mine is exempted by order of a Secretary of State" make it possible for the Home Secretary to exempt any mine or to give the owners power to pay the wages of the miners by a system other than by that of the amount of mineral gotten. I wish it to be clear to a man whose wages are determined by the amount of mineral gotten, that the amount of his pay shall not be arrived at by a mere system of guess-work.

Amendment proposed, in page 4, line 43, and page 5, line 1, to leave out the words, "unless the mine is exempted, by order of a Secretary of State."—(*Mr. Fenwick.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS) (Birmingham, E.): This power, as the hon. Member is aware, given to the Home Secretary to grant exemptions to the absolute enactment requiring the payment of persons employed in mines to be made by weight, is contained in the existing Act. It is intended to apply to the case of certain mines where the universal practice is to

ascertain the amount to be paid to the miners by measure and not by weight. There are many cases which require the application of this exemption. There are many cases in Cornwall, in connection with the tin mines, for instance, in which the men are paid by measurement. The reason is that the corves are very small, some times not more than 2 or 3 cwt., and that rapid weighing, which would be necessary to show what the men have got would be impracticable. As a matter of convenience in these cases, payment by measure is resorted to. Then when a mine is situated close to a canal, the practice has grown up of discharging the corves directly into the boats, and of paying the men by the boat-load instead of by weight. If a boat-load is properly gauged there is no reason why that practice should not be a fair one. That system has been adopted, for the mutual convenience of masters and men, in many collieries throughout the country. I have had applications made to me in two or three cases of that kind, and I have granted exemptions, so as to enable the system of measurement to be adopted where it is thought, by those interested, to be the most convenient method. The hon. Member will observe that these are altogether exceptional cases. The words which the hon. Member seeks to strike out of the clause have reference only to Sub-section 2, and are intended to prevent any idea that the first sub-section requires payment to be made by weight in every case. The first sub-section provides that where the men are paid by weight, that weight shall be truly ascertained. But if, on the other hand, it is found convenient that the men should be paid by measure, and it is proved to the satisfaction of the Secretary of State that that would be the best method, he has power to permit it—he is made the arbiter between the parties—and in cases where the necessity for it is proved to his satisfaction, and the parties concur, I do not see why the practice should be objected to.

MR. FENWICK: I can assure the right hon. and learned Gentleman that objection to payment by measure has been taken by miners themselves. The men do not desire to be paid by measure, and a mere system of guessing what the amount of mineral is upon which they are to be paid. That is the reason I insisted upon the Amendment being put down upon the Paper. I hope that the right hon. and learned Gentleman will see his way to accepting the proposal. I may inform him that we have collieries drawing tens of thousands of tons per day, and that every ton of coal is weighed, no difficulty being experienced, and no work being in any way impeded. It is said here that the payment of persons employed in mines is to be made by weight; and I, therefore, think it only right and fair that this provision should be confined to seeing that a fair and just weight is ascertained.

MR. F. S. POWELL (Wigan): I am not surprised at the remark of the hon. Gentleman who has just sat down, when he said that tens of thousands of tons are turned out by some collieries, and no difficulty is experienced in weighing them. Where there are tens of thousands of tons turned out, I believe there is no difficulty in paying by weight. In those cases it is never deemed expedient to test the work done otherwise than by weight; but the case laid before the hon. Member is that of very small pits, working thin seams of coal. I am told that in the case of many of these pits it would not pay the workmen to employ a check-weighman. I am assured that that is the case, and that the mines the Government have in view in proposing this clause, as it stands, differ very much in character from those rich mines of Lancashire, Yorkshire, Durham, and elsewhere that the hon. Member has in view. We want to give this relaxation of the clause to enable the work done to be tested by measure rather than by weight in the interests of the men themselves—in those cases where the weight test would be a heavy and an unnecessary expense.

MR. PICKARD (York, W.R., Normanton): I think the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) will be surprised to hear that in Yorkshire we have thousands of men working our thin seams and sending up corves averaging from 2 to 2½ and 3½ cwt., and that these men are invariably paid by weight. Perhaps the right hon. and learned Genleman will be surprised to learn that at small collieries, where there are not more than 26 men employed, they are content to incur the expense of employing a check-weigh-

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man—are content to pay 1*s.* 6*d.* per man—rather than have the coal gauged as formerly. Under the present Act—under this very clause in the present Act—we have actually seen exemptions obtained in Yorkshire. Somehow or other the masters succeeded in going behind the men, and to this day the men have never had an opportunity of having their coal weighed. They consider that a grievance. I, therefore, strongly support the Amendment; and I think that if the right hon. and learned Gentleman the Home Secretary knew the circumstances of the case, he would not oppose that Amendment. In Yorkshire, in many of our thin seams—where the coal is not more than 11 inches thick—the men believe that they ought to have their coal weighed, and are willing to pay for the check-weighman. I think a statement of that kind ought to meet the objection of the hon. Member for Wigan (Mr. F. S. Powell). I feel certain that he will agree with me, knowing as much as he does about colliery matters in Yorkshire. He will know that in the case of certain large collieries in his district a compromise was suggested by the men. This compromise the owners would not accept. The coal is taken four or five miles away, and the men wanted to have the nominal weight taken before it was removed; but the masters would not agree to that. We are strongly of opinion that the Home Secretary should not have the power of exercising a discretion, and of allowing exemptions to the system of payment by weight without the men having a fair opportunity of determining whether the coal should be weighed or not. We contend that the men themselves should be the judges as to whether the coal they get should be weighed or gauged, and we are further of opinion that a precise law should be laid down by this House, and that the Home Secretary should have no power of overriding it.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I myself have put down an Amendment similar to that we are now discussing upon the Paper; and I must express my regret that the right hon. and learned Gentleman the Home Secretary has not given us a little more information upon this matter. I very much regret that, in stating that there are collieries where it is considered by both masters and men expedient that the work done should be tested by measure, he did not give us some detailed information with regard to these collieries—that he did not tell us where they are situated, the amount of coal that is drawn, the number of men employed, and so on. I am convinced that it is only a trifling percentage of the collieries of England in which exemption is claimed under this clause. There is no point upon which the workmen are more keenly alive or more reasonably jealous than upon this. The right hon. and learned Gentleman—if he has witnessed the manner in which small corves are dealt with by the improved weighing machinery we have at many of our mines—must know that now-a-days there is no difficulty in weighing any number of corves whether they contain no more than 2 cwt. or 20 cwt.—he must know that the thing can be done very readily, however small the corves. He imagines that it is necessary to grant exemptions in the case of Cornwall, and that where these exemptions are permitted it is with the universal consent of masters and men. I should like to know how he has assured himself that the consent of the workmen has been obtained in a proper and regular manner. I should like to know whether the request has been obtained by the authorities at the mines separately from each man, or whether it has come from anyone representing the whole body of men. I must say that to my mind there is not the slightest difficulty in weighing every ton of coal which can be produced at a colliery. I maintain that it is to the interest of the owners to prevent any lurking feeling on the part of the men that they are not being treated fairly and that injustice is being done and therefore heartily support the Amendment.

MR. BURT (Morpeth): The provision to which exception is now taken by my hon. Friend is contained in the Act of 1872. I can assure the right hon. and learned Gentleman the Home Secretary that there is amongst the miners of this country a great deal of dissatisfaction with the working of that provision—the almost unanimous feeling is that coal ought in all cases to be got by weight. I have no doubt in the world that the right hon. and learned Gentleman, in the exercise of his discretion, when asked to grant an exemption, acts with

impartiality. I have no doubt that he is not likely to be biased on one side or the other; but I would point out to him that generally speaking the application comes to him from one quarter alone—namely, from the owners, and that the owners are in a better position than the men for presenting their side of the case to him. I trust the right hon. and learned Gentleman will consent to the elimination of these words.

MR. MATTHEWS: I think I have only had two cases of applications made to me for exemption from the operation of this clause. In both cases, preliminary to my giving any answer at all, I have taken pains to satisfy myself about the matter by sending inspectors to the collieries to make inquiries. Where the men have desired that the exemption should be granted, and that the payment for the coal got should be by weight, I have exercised my power and granted that exemption. I cannot possibly conceive, therefore, what objection there can be to this power remaining in the clause. I should have no objection whatever to strengthening the provision by declaring that this power should only be exercised by the Secretary of State in case of all parties agreeing. But I do think that where both masters and men wish, for the convenience of all parties concerned, that the test of the amount of work done should be by measure and not by weight—I think it would be absurd to insist on enforcing both parties to a bargain which they do not desire. If it be for the convenience of all parties in some cases that the coal should go from the tubs not into the weighing machine, but straight into a barge, it seems to me most desirable to refrain from making the system so rigid and cast iron as the hon. Member proposes.

MR. HENRY H. FOWLER (Wolverhampton, E.): The right hon. and learned Gentleman seems to have embodied in that statement the whole gist of the dispute. That is just the point—the agreement of the parties; but the parties are not agreed. Of course, if the master and workmen agree, there can be no objection to this different mode of payment being adopted; but the question is whether the masters and men are agreed. Hon. Members on this side say that that is not the case. They say that the masters take one view on the question and that the men take another. Though I should have confidence in the Home Secretary acting judicially and deciding fairly, I have not the same absolute confidence in the Home Secretary's Inspectors, for in their hands the balance might rather incline towards the side of the masters as against workmen. When the right hon. and learned Gentleman gives me the illustration of the canal boat in our district, I would tell him that he could not point to a more fallacious instance. We have boats holding from 25 to 27, and even 30 tons. They vary to this extent; and are the men only to be paid for 20 tons, when they have got 30? I am prepared to agree to the Home Secretary having the power of dispensation contained in this clause where the men as well as the masters agree to it. Where, however, the men dissent, I would not insist on that power. It is not fair to men, without their consent, to have words in the clause to enable their work to be gauged by measure which may result in their being paid for a certain amount when, as a matter of fact, they have got a great deal more.

MR. MATTHEWS: I have already said, about a quarter of an hour ago, that I would accept that qualification.

MR. F. S. POWELL: The right hon. Gentleman the Member for East Wolverhampton has, I think, been labouring under a misapprehension. He seems to think that the masters have a great objection to the payment by weight. I can speak for the opinion of the masters in the Wigan district, and I can assure him that they have no such objection.

MR. HENRY H. FOWLER: No; I did not say that. My contention was that the desire of the masters is to pay as little wage as they can, and that the desire of the men is to get as much wage as they can.

MR. F. S. POWELL: I will take it that way, then, that in the opinion of the right hon. Member the masters desire to pay as little wage as they possibly can. I do not find any desire on the part of the masters to take any unfair advantage of the colliers in their employment; indeed I do not find any desire on either side to take advantage of the other side, nor do I believe that any such desire exists. Both parties, to the best of my belief, desire to have a fair bargain. The hon. Member on the

other side made allusion to the Wigan coal and iron works; but I do not think he understood my point. Such firms as the Lowmoor firm, although their output is considerable, work some very small pits; and the point is whether the men engaged in these small pits would care to be saddled with the expense of a check-weighman. I contend, therefore, for the sake of the workmen as well as the masters it is desirable that the Home Secretary should have a discretionary power of granting exceptions to the system of payment by weight.

SIR JOSEPH PEASE (Durham, Barnard Castle): The right hon. and learned Gentleman the Secretary of State for the Home Department (Mr. Matthews) offers to my hon. Friend the Member for the Wansbeck Division of North Cumberland (Mr. Fenwick) to insert words to the effect that this power of exemption should only be exercised by the Secretary of State in cases where the assent of both employers and employed is given. I should like to know whether words to that effect are to be brought up on the Report. I think they would meet the view of my hon. Friend.

MR. FENWICK: That would not meet my point at all, and I think the right hon. and learned Gentleman the Home Secretary must see that the cases which are likely to come under this clause would be so very few that it is hardly worth while adopting this exemption. In dealing with a large subject like this, the right hon. and learned Gentleman must agree that it is most undesirable to legislate in favour of circumstances that are likely to occur very infrequently. I may remind the hon. Member for Wigan (Mr. F. S. Powell) that this is not a question of check-weighmen — the check-weighman has nothing to do with the matter. It is a question entirely outside of the check-weighmen. If the men desire to appoint a check-weighman in their own interests, well and good; and, on the other hand, if they are willing to trust themselves to the weighman employed by the owner, well and good. The question is altogether outside that—as to whether a man's coal should be weighed or measured. I hope the right hon. and learned Gentleman will see his way clear to accepting this Amendment without forcing us to take a Division upon it. Unless he does see his way to accepting the Amendment, I must press it to a Division.

COLONEL BLUNDELL (Lancashire, S.W., Ince): Everyone agrees that it is better to have coal weighed than measured; but in cases of small, expiring collieries, where it is not worth while to put up a weighing machine, where the men are agreed with the masters that they can obtain fair play by having their tubs measured, I do not see why the system should not be allowed. The men employed in a small mine may not be able to afford to employ a check-weighman; and if they are able to test the number of tubs they send up, although they cannot check their weight, there is, therefore, no reason why they may not hold that they will be as fairly treated by measure as by weight. I think, therefore, that the Secretary of State should have the power embodied in the clause, but that he should exercise it with great discrimination.

MR. JAMES ELLIS (Leicestershire, Bosworth): I hope the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) will accept the Amendment. It is almost impossible for any outsider to ascertain what the opinion of the workmen may be. From my knowledge of colliers, I believe that the only satisfactory method of dealing with this class of goods is to weigh it. The Government have adopted the principle of weight years ago in the case of bread. The principle of allowing a baker to sell a 6*d.* loaf, or a 4*d.* one, has been objected to, because it is believed that in all cases the public would not get the right weight. It is the same in the case of colliers. They require protection in order to ensure their getting fair weight. It seems to me that it is precisely those cases in which the owners of the mine would come to the Home Secretary and ask to be relieved of the ordinary system of paying their men by weight, that the men most require protection. It is in the case of small collieries, and collieries situated upon canals, that under-weight is most likely to be given to the men. In such cases the owners are far more likely to cheat the workmen, than in the case of large collieries that can afford to pay good managers and fair wages.

MR. W. ABRAHAM (Glamorgan, Rhondda): We are desirous of pressing

upon the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) that there is no question upon which the miners feel so deeply as the question of having their minerals weighed. We do not desire to throw a stigma upon the hon. body of Gentlemen who own mines; yet we want to see a principle adopted which we believe to be the only sound and safe principle. I know collieries where there are only four coal cutters employed, and where, nevertheless, there is a weighing machine used. The men employed at the weighing machine need not of necessity be kept entirely to that work, but there are other things that they can do. The question before us is one of getting the consent of the men to this exemption; and I would point out to the Committee that it is not safe always to place reliance upon statements which we hear about exemptions having been granted with the consent of both parties. Some very questionable modes are used in order to obtain the consent of the men to exemptions from the ordinary method of payment; and I must say I am glad to hear the right hon. and learned Gentleman the Home Secretary say that he is prepared to introduce a modification in the clause, in order to provide that the consent of the men shall be necessary before exemptions can be granted. I know that at present the "consent of the men" is, in some cases, ascertained by sending an over-man round with a sheet amongst the colliers, to get their opinion independently, one by one, without giving the men a chance of conferring together, and saying collectively what they prefer. They are questioned separately, and they act under the influence of the over-man, or manager. In this case one man is got to yield consent to the view of the masters; and then the fact that he has given in is used as a reason why the next man should give in; and in this way an opinion may be obtained from a large body of men which is really not reliable as indicating their real frame of mind. We do trust that the right hon. and learned Gentleman will see his way to accept this Amendment.

MR. TOMLINSON (Preston): It really is surprising to me to hear so many hon. Members declare that it is impossible to obtain the real opinion of the men on this matter. For my own part, I should have thought nothing would have been more easy. Certainly, collieries must be very different in the parts of the country spoken of by hon. Gentlemen opposite to those with which I am acquainted. I would point out to hon. Members that in some districts canals are driven from levels into the heart of the hills where coal is taken from the seams, and put straight upon the boats to places where there are no possible means of introducing weighing machines. In such cases, I am informed, it is absolutely essential that there should be some relaxation in the system of checking the amount of coal got by weight allowed. Where it can be shown conclusively that weighing is impracticable, I think there can be no reason for refusing to pass the clause as it at present stands. Then, it is asked if the Home Secretary ascertains the real wishes of the men in regard to the system of paying for work done? Really, Sir, it is too late in the day, looking at the advance made by the system of trades unions, to raise a question of doubt as to knowledge of the wishes of the men.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I do hope the right hon. and learned Gentleman the Home Secretary will agree to this Amendment. There is a strong feeling in the constituency I have the honour to represent, in favour of the system of paying for coal got by weight. Canal boats are largely used in the carriage of the coal, and owners have adopted the custom, which the men are unable to refuse, of paying by the boat load. The men object to this, and desire to be paid for the coal they put in the boats by weight. As I say, however, the present system has grown up in the course of years, and the men are incapable of resisting it. The men believe that nothing can be more straightforward than the system of payment by weight, and they are anxious to have it adopted in their case.

SIR HUSSEY VIVIAN (Swansea, District): I think the right hon. and learned Gentleman the Home Secretary might very well accept this Amendment. I think it is a very desirable thing that all coal should be weighed, and that the men should be paid for the actual weight got. There are many small collieries in my immediate neighbourhood, and I believe that weighing machines are

placed at the mouth of every pit or every level. The hon. and learned Gentleman the Member for Preston (Mr. Tomlinson) has mentioned the case in which levels are driven into the hills, and small quantities of coal are got. Well, even in such cases, I contend that there is no difficulty in putting weighing machines down. Coal must come out on a rail or tramway and that wherever coal comes out in that way, there is no sort of difficulty in putting down a weighing machine. The only question to be considered is this, that where collieries are extremely small the employment of the weighing machine adds to the expense of the colliery, as it involves the cost of people to look after it. But the hon. Member for the Rhondda Division has pointed out that the men employed at the weighing machine need not of necessity be kept entirely at that work, but that there are other things which they can do. I am sure it will be very much more satisfactory to have a general system of paying by weight at our collieries. In the olden days, in my own neighbourhood, thousands and tens of thousands of tons of coal used to be gauged in canal boats, but that system was found extremely unsatisfactory, and I feel perfectly sure that the right hon. and learned Gentleman the Secretary of State will be quite safe in adopting this Amendment. I have no hesitation in saying that. It is usual now, I think almost universal in all leases, that a stipulation should be made to the effect that a weighing machine shall be provided, and that all the coal shall be weighed. There are now very few colliery leases indeed in which it is not stipulated that weighing machines shall be provided. I cannot believe that any difficulty will arise if the course proposed by the hon. Member on this side of the House is adopted.

MR. HANDEL COSSHAM (Bristol, E.): I should like to add my testimony in favour of the clause being altered, as suggested in the Amendment. As I have before stated, I have had 40 years' experience in connection with collieries, and I have never known the getting of coal paid for except by weight. During those 40 years I have always paid by weight, and sold by weight.

MR. TOMLINSON: The difficulty does not arise in the case of the collieries of the hon. Member for East Bristol (Mr. Handel Cossham), nor has it arisen in connection with any of the collieries I have had personally to deal with. There are difficulties, however, in connection with this matter, and I want to know how they will be dealt with. The hon. Baronet opposite says that he will undertake to put a weighing machine, and I suppose a check-weighman, in every case where a canal is run into the side of a hill and the coal is put directly upon the boats. The inference to be drawn from that is that in the hon. Member's opinion in every case the colliers would prefer to pay for a check-weighman, than to have their coal judged by an easier and less expensive process.

MR. BROOKE ROBINSON (Dudley): Though the constituents of hon. Members opposite may be almost entirely paid for their coal by weight, yet it is a fact that in a large proportion of the collieries in South Staffordshire the men are paid by measure. I believe that colliers should be paid in the way that they themselves desire. Still, I would point to one good reason why the system of measure, in some cases, has no advantage over the system of weight. In South Staffordshire the coal differs very much in quality. Sometimes it is very hard, but almost at the next moment the collier who is working it may find it very soft. The result of paying by measure is that a general estimate is made, and the man receives the same whether the coal obtained is hard or soft; whereas, if paid by weight, he would get less money for working the hard coal than for working the soft.

Question put.

The Committee *divided*:—Ayes 119; Noes 127: Majority 8.

[10.10 P.M.]

AYES.

Ainslie, W. G.	Brodrick, hon. W. St. J. F.
Ambrose, W.	Brookfield, A. M.
Ashmead-Bartlett, E.	Burdett-Coutts, W. L. Ash.-B.
Baden-Powell, G. S.	Charrington, S.
Baggallay, E.	Clarke, Sir E. G.
Barnes, A.	Cochrane-Baillie, hon. C. W. A. N.
Barry, A. H. Smith	Commerell, Admi. Sir J. E.
Barttelot, Sir W. B.	Cooke, C. W. R.
Beadel, W. J.	Corry, Sir J. P.
Beresford, Lord C. W. De la Poer	Cotton, Capt. E. T. D.
Blundell, Col. H. B. H.	Cross, H. S.
Bond, G. H.	
Boord, T. W.	
Bristowe, T. L.	

Dalrymple, C.
De Worms, Baron H.
Donkin, R. S.
Dorington, Sir J. E.
Dyke, right hon. Sir W. H.
Evelyn, W. J.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fisher, W. H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fulton, J. F.
Gathorne-Hardy, hon. A. E.
Gedge, S.
Gibson, J. G.
Giles, A.
Godson, A. F.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst Sir J. E.
Goschen, rt. hn. G. J.
Gray, C. W.
Grimston, Viscount
Gunter, Colonel R.
Hamilton, right hon. Lord G. F.
Hamilton, Lord E.
Hamilton, Col. C. E.
Heath, A. R.
Heaton, J. H.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Holland, rt. hon. Sir H. T.
Holmes, rt. hon. H.
Houldsworth, W. H.
Howard, J.
Howorth, H. H.
Hunt, F. S.
Isaacs, L. H.
Jackson, W. L.
Jarvis, A. W.
Johnston, W.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kelly, J. R.
Kenyon-Slaney, Col. W.
Kerans, F. H.
Kimber, H.
King, H. S.
King-Harman, right hon. Colonel E. R.
Knatchbull-Hugessen, H. T.
Knowles, L.
Lafone, A.
Lawrence, W. F.
Legh, T. W.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Macartney, W G. E.
Macdonald, right hon. J. H. A.
Maclean, J. M.
Maclure, J. W.
Marriott, right hon. W. T.
Matthews, rt. hon. H.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
Milvain, T.
Mulholland, H. L.
Newark, Viscount
Pearce, W.
Peily, Sir L.
Plunket, right hon. D. R.
Powell, F. S.
Raikes, rt hon. H. C.
Reed, H. B.
Ritchie, rt. hon. C. T.
Robertson, W. T.
Robinson, B.
Round, J.
Seton-Karr, H.
Sidebottom, T. H.
Sidebottom, W.
Smith, rt. hon. W. H.
Stanhope, rt. hon. E.
Stewart, M.
Tapling, T. K.
Temple, Sir R.
Tomlinson, W. E. M.
Webster, Sir R. E.
Webster, R. G.
White, J. B.
Woodall, W.
Wortley, C. B. Stuart-
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Glamorgan)
Acland, A. H. D.
Allison, R. A.
Asquith, H. H.
Atherley-Jones, L.
Balfour, rt. hon. J. B.
Barran, J.
Beaumont, H. F.
Beaumont, W. B.
Biggar, J. G.
Blake, T.
Blane, A.
Bolton, J. C.
Bolton, T. D.
Bradlaugh, C.
Broadhurst, H.
Brown, A. H.
Bruce, hon. R. P.
Burt, T.
Caldwell, J.
Cameron, J. M.
Campbell, Sir G.
Campbell, H.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Channing, F. A.
Coghill, D. H.
Coleridge, hon. B.
Conway, M.
Conybeare, C. A. V.
Cossham, H.
Crawford, D.
Cremer, W. R.
Crossley, E.
Dimsdale, Baron R.
Dodds, J.
Dugdale, J. S.
Elliot, hon. H. F. H.
Ellis, J.
Ellis, T. E.
Esslemont, P.
Flower, C.
Flynn, J. C.
Foster, Sir B. W.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Fry, T.
Gane, J. L.
Gladstone, H. J.
Graham, R. C.
Haldane, R. B.
Havelock-Allan, Sir H. M.
Heathcote, Capt. J. H. Edwards-
Hingley, B.
Holden, I.
Hooper, J.
Howell, G.
Hoyle, I.
Jacoby, J. A.
James, C. H.
Joicey, J.
Kenny, C. S.
Kenny, M. J.
Lacaita, C. C
Leake, R.
Lees, E.
Lockwood, F.
Lubbock, Sir J.
Lyell, L.
Mac Innes, M.
M'Arthur, A.
M'Arthur, W. A.
M'Donald, P.
M'Ewan, W.
Mappin, Sir F. T.
Marjoribanks, rt. hon. E.
Mason, S.
Montagu, S.
Morgan, rt. hon. G. O.
Morley, A.
Morrison, W.
Mowbray, R. G. C.
Mundella, rt. hn. A. J.
Nolan, J.
O'Brien, P.
O'Connor, A.
O'Connor, J. (Kerry)
O'Connor, T. P.
O'Kelly, J.
Paulton, J. M.
Peacock, R.
Pease, Sir J. W.
Pickard, B.
Pickersgill, E. H.
Powell, W. R. H.
Priestley, B.
Provand, A. D.
Quinn, T.
Reed, Sir E. J.
Richard, H.
Roberts, J.
Roberts, J. B.
Roe, T.
Rowlands, W. B.
Russell, E. R.
Salt, T.
Schwann, C. E.
Shirley, W. S.
Sidebotham, J. W.
Spencer, J. E.
Stack, J.
Stanhope, hon. P. J.
Stevenson, F. S.
Sullivan, D.
Swinburne, Sir J.
Talbot, C. R. M.
Thomas, A.
Verdin, R.
Vivian, Sir H. H.
Wallace, R.
Wardle, H.
Warmington, C. M.
Watt, H.
Wayman, T.
Wood, N.
Woodhead, J.
Yeo, F. A.

TELLERS.

Ellis, J. E.
Fenwick, C.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move, on page 5, line 1, after "weight," to insert "per imperial ton." My object, in moving this Amendment, is to deal with a very common evasion of the Weights and Measures Acts, by which injustice is done to workmen in Lanarkshire. The clause, as I propose to amend it, will run—

"Where the amount of wages paid to any of the persons employed in a mine depends on the amount of mineral gotten by them, those persons shall be paid according to the weight per imperial ton of the mineral gotten by them, and that mineral shall be truly weighed accordingly."

[*Second Night.*]

What we complain of in Lanarkshire, and what renders an Amendment of this kind necessary, is that the masters require that the workmen shall produce to them not a ton of 20 cwt, but a ton of varying amount. Now, it may be objected that it is immaterial to the workmen whether they are paid by the cwt. or by the ton. But, in point of fact, that is not the case, because they are all paid nominally by the ton, and in so small an area comparatively speaking — geographically speaking—as Lanarkshire and the West of Scotland, the amount that a ton is expected to contain varies to an indefinite extent. Sometimes a ton is a *bonâ fide* ton of 20 cwt., at other times it may be 22 cwt., or even 24 cwt., or it may be less. Now, the manner in which this peculiar kind of ton is arrived at shows that the present system is faulty; and I am sure the right hon. and learned Gentleman the Home Secretary (Mr. Matthews), if he is satisfied that my statement is correct, as to the manner in which the men are deprived of their just wages in this way, will be forward to apply a remedy to the evil. A ton is not openly declared to be of more than 20 cwt.; but there is a standing deduction of 1 cwt. in the office, and there is a deduction made for the tare of the hutch when measured at the appointed place; and the total result is that 22½ cwt. are required. I know the case of a workman who has worked for over 30 years in a pit, and though he and the men with whom he was associated were suspicious that they were not getting full weight, they had no idea whatever that they had to produce 22½ cwt. for the ton. I trust this appeal will be met by the right hon. and learned Gentleman—I trust he will acknowledge its justice, and accept this Amendment.

Amendment proposed, in page 5, line 1, after "weight," insert "per imperial ton."—(*Mr. Donald Crawford.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I am sorry to say that I heard the hon. and learned Gentleman very indistinctly in consequence of the buzz of conversation prevailing in the House while he was speaking. At any rate, from what I did gather of the hon. and learned Gentleman's remarks, it seemed to me that his case was by no means a strong one. I understand his Amendment to mean that the weight of a mineral ton shall be calculated as an imperial ton. Well, under the Weights and Measures Act, what he asks in his Amendment has been done for something like 40 years, [*Cries of* "No, no!"] Yes; I am stating that which is a fact—it is done by the Weights and Measures Act, for under that Act it is penal to apply the word ton to anything more or less than 20 cwt. If a man is paid for the coal he gets by the ton, he must be paid for 20 cwt. I understood the hon. and learned Gentleman to say that we have mines where, either by some manipulation of deductions or by some other arrangement, the workman must agree to supply 22½ cwt. per ton. [*Cries of* "No, no!"] Then, if that is not the case, all I can say is that there is nothing at all in this Amendment, and that what its Mover seeks to provide is already carried out under the Weights and Measures Act. I do object to make a Coal Mines Regulation Act a Weights and Measures Act, an Education Act, a Public Health Act, and a Juries Act—for I believe an Amendment is to be moved later on which would have the effect of making it a Juries Act.

MR. DONALD CRAWFORD: It may be that the right hon. and learned Gentleman did not hear me distinctly; but, at all events, he has entirely misrepresented what I said. I must altogether demur to the right hon. and learned Gentleman's proposition, that if I require by this Amendment that the mineral a man gets is to be weighed by the imperial ton, that I am requiring something which is already provided for by the Weights and Measures Act. What I am asking for is not provided for by the Weights and Measures Act. There is nothing in the Weights and Measures Act to prevent wages being paid by the cwt. instead of by the ton; and I ask that in future wages shall be paid by the ton and not by the cwt., and that this be made a matter of necessity. If the wages are paid by the ton, then the Weights and Measures Act will come in and be effectual, and it will be an offence against the Act if 22 or 22½ cwt. is required for a ton, as it is now. I do not wish to take up the time of the Com-

mittee unnecessarily; but I think the Committee will do me the justice of agreeing with me that the view I presented to it was not fairly represented by the right hon. and learned Gentleman the Home Secretary. I think also the Committee will agree with me, after what I have stated, that some injustice is at the present time being done to the miners, owing to the absence of a settled arrangement that the men shall be paid by the imperial ton.

MR. ARTHUR O'CONNOR (Donegal, E.): It is certain that, under the Weights and Measures Act, whenever a ton is in question, a standard ton is meant. But there are many pits—and especially some colliery districts in the West of Scotland—where, in spite of the provisions of the Weights and Measures Act, one of the forms of contract recognized and insisted upon by the owners is that the measure of the mineral gotten shall be 22½ cwt. per ton. I could cite a number of different instances in point. I hold in my hand a long list of such cases. I will name the Remington Colliery Company and the Calendar Colliery Company. In each of these cases 22½ cwt. are always exacted for every nominal ton. For every nominal ton the men are paid for they have to give an extra 2½ cwt. That is one set of collieries. I could mention others. Several declarations have been made to me in regard to one, pointing to several matters closely connected with this question of measurement. In the neighbourhood of Glasgow, some of the colliers complain that, by reason of there being no distinct, imperative, specific legal definition as to 20 cwt. forming a ton, they are defrauded of their hard-earned wages. I have another case, in which it is stated that the employers will not pay a man according to the imperial ton of 20 cwt. There would not be much wrong in this if the men got the amount of the gross weight of the coal they make; but the gross weight is subject to serious deductions. The tare of the empty hutch is 4 cwt., while ½ cwt. is added for the tare of the hutch, and ¼ cwt. is also added for other reasons, and the remainder belongs to the miner. Then, if it happens that there is a ¼ cwt. to the corve spilt in the coalyard, the miner will not get it; so that in a case where there is a gross weight of 14 cwt., there is first the tare of the hutch, which is 4 cwt., leaving 10 cwt.; then ½ cwt. is added provisionally for the tare of the hutch, then a ¼ cwt. for the steelyard, which brings it down to 9¼ cwt. But the maximum allowed is only 8 cwt. Therefore the miner loses the odd 1¼ cwt.—or, in other words, he is simply defrauded of 2½ cwt. Therefore it is impossible to protect the men unless this Amendment is accepted, or there is inserted in the Bill some specific and imperative provision requiring a recognized standard of weight for the payment of colliers. That standard of weight, I maintain, should be an imperial ton.

MR. P. STANHOPE (Wednesbury): This question has been treated by the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) as one of small importance, and as being more of an Amendment to the Weights and Measures Act of 1875 than a proper Amendment to a Coal Mines Regulation Bill. I dispute the proposition of the right hon. and learned Gentleman. The miners of South Staffordshire feel very strongly indeed that a question affecting the standard of weight upon which their wages are calculated should be defined in the clearest possible terms; and consequently they say—and I think the argument, as it has been used by the hon. Gentleman who introduced the Amendment, is a fair argument—that the weight specified in the Act should be an imperial ton. I ask the Committee if the introduction of these words, "per imperial ton," is such a gross infraction of the principle of the measure as the right hon. and learned Gentleman the Home Secretary seems to imply? On behalf of the miners of my constituency, I intend to insist on the most clear and explicit definition with regard to anything affecting their wages; and this, it seems to me, is a most desirable Amendment, setting forth, as it does in a most unmistakable manner, that the wages of the men are to be calculated by weight, and by weight alone, and that that weight is to be an imperial ton. The right hon. and learned Gentleman says that the Weights and Measures Act, and the Acts amending that Statute, deal with this matter. I find myself in disagreement with the right hon. and learned Gentleman. The Act of 1875 sets no control at all over a certain class of measurements. In South Staffordshire the measurement of coal is conducted

very much on the system of gauging, and not by weight—gauging in canal boats. I contend that the introduction of the words in the Amendment merely give a more definite expression to the section, and do not at all interfere with the intention of the right hon. and learned Gentleman. I hope my hon. Friend will insist upon his proposal.

MR. MATTHEWS: I can assure the hon. Member that the Weights and Measures Act does, in explicit and clear language, what the hon. Gentleman endeavours most imperfectly to do by putting in these three words—"per imperial ton." Let us refer to the language of the Weights and Measures Act. I will sketch a passage from that Act—that is to say, I will give all the words in it which are important—

> "Any work which has been, or is to be, done by the week shall be deemed to be made or had according to one of the imperial weights specified by this Act, or by some multiple or part thereof; and if not so made or had shall be bad."

Could anything be clearer? When you provide that a man shall be paid by weight, as you are providing in this Bill, you are inserting a provision which looks behind such an Amendment as this. It seems to me that you are seeking to insist upon a provision which should make the miners a little ashamed of their own course of action. You, representing the miners, speak of them as consenting to be paid so much by the ton, and then imply by this Amendment that they will take "a ton" as meaning 22 or 22½ cwt. [An hon. MEMBER: They are forced.] An hon. Member says they are forced. Then they submit to it. Do you suppose, if they submit to an illegal rendering of the word "ton," that you are going to protect them by putting a check in where no check is required? Do you imagine that you are going to make them agree with the owners where they do not agree now? Do you suppose that if the miners are children already that you are going to turn them into men by the insertion of these words? Certainly not. If these men require all the protection you say they require, it is not by the insertion of these words that you will get weak men who do not now insist on their legal rights to insist in the future upon fair dealing and upon having legitimate transactions between themselves and their employers. How are you going to alter the dealings between the men and their "oppressive masters," by stating the law, when the law does all that you want without it, if the men do not insist on their legal rights? I have listened to the moving of this Amendment, and to the arguments by which it has been supported, with dismay and sorrow. Is it necessary to argue this point? Cannot the masters say—"I will pay you by the cwt.—I will pay you so much per 22 cwt.?" Your difficulty would revive again if the masters said that. I submit that we are wasting the time of the Committee in discussing such a matter as this.

MR. W. BOWEN ROWLANDS (Cardiganshire): I venture to think—with great respect to the right hon. and learned Gentleman the Home Secretary—that he has altogether misunderstood the point we desire to place before the Committee. What appears to me to be the desire of the hon. Member who moved this Amendment is that miners should be paid by the ton, and that owners shall not substitute a method of calculation by a cwt, or by a lb. I admit that a measure by a lb. or by a cwt., or any other weight that falls within the scope of the Weights and Measures Act, would be defined by the provisions of that Act, and that it might under some circumstances be superfluous to introduce any fresh description of the weights which are already ascertained by existing legislation. But unless I misapprehend the Amendment, it appears to me that what the hon. Member desires is that in all cases the weight shall be ascertained by the ton; and that, therefore, any other agreement between the owners and the miners, whether made fairly or by force, shall not be possible. The hon. Member's object seems to be to prevent the coal got by the miner being calculated on any other principle than that of an imperial ton; and I thing that the language of the Statute, to which the right hon. and learned Gentleman the Home Secretary has referred, does not affect this Amendment. I venture to think that I apprehend more clearly what the Mover of this Amendment had in his mind than the right hon. and learned Gentleman—although he endorsed his words by higher authority than I can lay claim to. I believe that the right hon. and learned Gentleman the Home Secre-

tary has not touched the real point of the argument. All that we desire is—that the relations between the colliers and their employers shall in this matter be put upon safe grounds, and that for the future miners shall be paid by the imperial ton, and not upon any process of calculation which may make 22½ cwt., or any other quantity, represent a ton. Many of the observations of the right hon. and learned Gentleman the Home Secretary are beside the mark; and he has adduced no solid reason why we should not accept this Amendment.

MR. MUNDELLA (Sheffield, Brightside): It occurred to me whilst the right hon. and learned Gentleman the Home Secretary (Mr. Matthews) was speaking, that in my recollection of Statutes which have been passed, it was not altogether without precedent to insert some words relating to weights and measures in regard to contracts for labour. In 1878, when Mr. Cross was Home Secretary, there was great attention called amongst the masters and the men to the subject of weights and measures in use, and in the Factories Act of that year the Home Secretary inserted a clause to the effect that any Act for the time being in force relating to weights and measures should extend to weights, measures, scales, balances, steelyards, and weighing machines, used in the factories and workshops, and "Inspectors of weights and measures employed in the workshops" were also spoken of. Is there any provision of that kind to be proposed in this Bill? There is no source of suspicion which gives rise to more contention than anything in the nature of a doubt on a question of weight or measure. I trust that the right hon. and learned Gentleman will not think we are too exacting and too pedantic in asking that he should insert some words in the Bill to show that the men are to be paid by the imperial ton, and that the Inspectors shall have the same power as to the testing of the weights and measures that they have under the Factory Acts.

MR. TOMLINSON (Preston): If the right hon. Gentleman will read Clause 16, he will see there the following words:—

"The Weights and Measures Act, 1878, shall apply to all weights, balances, scales, steelyards, and weighing machines used at any mine for determining the wages payable to any person employed in the mine, according to the weight of the mineral gotten by him, in like manner as it applies to weights, balances, scales, steelyards, and weighing machines used for trade."

MR. MUNDELLA: Where would be the harm of inserting the words "imperial ton?"

MR. GEDGE (Stockport): The words of the Amendment would make nonsense of the clause. The clause, as drawn, compels the use of imperial weights and measures generally. To limit them to tons implies that the weight will always be really so many tons, which cannot be. To seek to add these words, because the Opposition gained a small victory just now, and think they see a chance of gaining another——

THE CHAIRMAN: Order, order!

MR. GEDGE: As the words stand they carry every point which hon. Members can want, and to amend them as proposed would simply make nonsense.

MR. A. H. BROWN (Shropshire, Wellington): All these cases referred to by hon. Members, where the men have to supply 22 cwt. to the ton, were probably in consequence of old agreements made before the passing of the Weights and Measures Act. What we want is to state that under future agreements coal shall be weighed by the imperial statute measure which is now the law of the land. I quite admit that there is a clause in the Bill which states that the weights are to be according to Statute Law; but I think it is almost waste of time to argue this question and not to put in the Bill words which distinctly state that the weights are those which the Statute Law has settled, and that a ton shall mean an imperial ton. The miner should understand that the Statute ton is the standard for weighing coal.

MR. HENRY H. FOWLER (Wolverhampton, E.): I always admire the versatile genius of the right hon. and learned Gentleman the Home Secretary (Mr. Matthews); but to-night I have been struck by the elasticity of his memory, because I am sure, that with his knowledge of South Staffordshire, he must have heard the terms "long weight" and "short weight" over and over again. He must know that "long weight" in South Staffordshire means a ton of 20 cwt., each cwt. being 120 lbs. —that is to say, a ton of 2,400 lbs. Then there is another ton of 22 cwt., which weighs 2,640 lbs., so that with the im-

perial ton we have three standards of weight. We have the imperial ton of 2,240 lbs., a ton of 2,400 lbs., and a ton of 2,640 lbs. Therefore, the hon. Member for Stockport will not be surprised to learn that it would not be "absolute nonsense" to state in this Bill whether these men are to be paid at the rate of 2,240 lbs. to the ton, or 2,400 lbs., or 2,640 lbs. I think the Home Secretary says—and I perfectly agree with him—that his desire is that these men should be paid according to imperial ton, which is a ton of 20 cwt. of 112 lbs. each, or 2,240 lbs. to the ton. If that be his intention, there cannot be any earthly objection to inserting these three words in the Bill, which, in Shropshire and other mining districts, would remove constant disputes.

MR. STAVELEY HILL (Staffordshire, Kingswinford): The right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler) seems entirely to have forgotten one point. I remember that when the Weights and Measures Act of 1878 was in Committee this question was fully discussed, and we agreed to certain units of measure. We should be causing considerable difficulty to arise between the two Statutes if we were to say here that a ton is to consist of a certain number of cwts., whereas we allowed it in another Act to consist of any named number of cwts. Every miner knows whether he is to be paid by long or short ton, and he takes his wages accordingly. To admit these words would be the cause of great difficulty between the men and the masters, and you would have to come to Parliament again to say that a certain number of cwt. may constitute a ton.

MR. BURT (Morpeth): I have always looked with a certain amount of suspicion upon the miners being compelled to get 20, 22, and 24 cwt. to the ton. I admit, however, that it is a question of arrangement between the workmen and employers, and it must not be imagined that the same amount would be paid for 20 cwt. as is now paid for 22½ cwt. I think it would be more satisfactory, and tend to lessen friction in dealing with this subject, if the right hon. and learned Gentleman the Home Secretary could see his way to admit these words. I wish to say, further, that although I attach very great importance to this discussion of the question of weight, and other similar questions, yet I would make a general appeal to the Committee to allow us to get on to the other matters relating to the protection of life which are of still greater importance.

MR. MASON (Lanark, Mid): I wish to say that in Lanarkshire the practice exist of reckoning the ton at 22½ cwt., and that a great many men are under the belief that they are only paid on 20 cwt. The object of the Amendment is to put an end to the practice. The right hon. and learned Gentleman would in accepting the Amendment only put in words which he says make no difference, and as the miners want it, I trust he will allow them to be inserted.

MR. MATTHEWS: The difficulty I find myself in is, that whenever in respect of these words I endeavour to place upon them the meaning which seems to me to belong to them, some hon. Member tells me I am wrong. If the hon. Gentleman means that the wages of the collier, whatever they are taken upon, are to be estimated upon Imperial weights, that, of course, is in the Bill. But if that is his meaning, I think the hon. Member's words will not lead any lawyer to understand that it is what he means.

MR. DONALD CRAWFORD (Lanark, N.E.): That is not my meaning. I have no doubt that the Committee know that I mean what I say, and not what the right hon. and learned Gentleman says I mean. What is sought by the Amendment is that the ton should be a ton of 20 cwt. One of the supporters of the Government have just said that in Staffordshire the ton is 22 cwt. If the right hon. and learned Gentleman means what he says, let him accept the Amendment, and we will find a meaning for it.

MR. STAVELEY HILL: The right hon. and learned Gentleman is quite right; the word ton means 20 cwt. But in the 19th section of the Act of 1878 we provided that every contract or bargain for the sale of goods or merchandize shall be according to some Imperial weights or measures according to the Act or some multiple or part thereof, and unless another multiple is named goods are to be paid for according to the ton of 20 cwt.; so where the ton is 21 cwt. the word ton passes entirely out of the question. The 19th clause provided that a stone should consist of 14 Imperial Standard pounds, a

hundredweight of eight such stones, and a ton of 20 cwt. The right hon. and learned Gentleman is, therefore, right in saying that the ton is, by the 19th clause of this Bill, to consist of 20 cwt.; but where a ton is said to consist of 21 cwt. payment is to be made on 21 times a hundredweight.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I venture to think that the question we are now discussing is one of comparatively small importance. The more we discuss questions of this kind the more we are likely to become confused. Hon. Gentlemen who support the Amendment no doubt consider the question one of importance; but that is not our view; and I would, therefore, suggest that we should go to a Division upon it, and then proceed with the consideration of questions as to the importance of which there is no difference of opinion. The miner, in these cases, is at liberty to make his own contract; he has every guidance laid down for him in the Weights and Measures Act; but the hon. Member for North East Lanark (Mr. Donald Crawford) being of opinion that the Act is not sufficient for his protection, I again express the hope that we may go to a Division on the Amendment.

MR. ARTHUR O'CONNOR (Donegal, E.): The right hon. Gentleman the First Lord of the Treasury has urged the Committee to go to a Division. Having first stated that the question was altogether immaterial, the right hon. Gentleman then proceeded to argue upon it himself. But if the point is immaterial, it is a pity, I think, that the Government should make so much difficulty about accepting the Amendment. I rise for the purpose of saying that I support the proposal of the hon. Member for Lanark, but I think it would have been better if he had added the words "of 20 cwt."

SIR HUSSEY VIVIAN (Swansea, District): If the hon. Member for Lanark wants this Amendment to be made in the clause, I think he will have to put in other words. The meaning of the hon. Member is that the men are to be paid for 20 cwt. at the same rate as they are paid for 22½ cwt. In certain collieries the men are paid per ton of 22 cwt. Then, if you lay down the law that they are not to be paid on the ton of 22 cwt., it is perfectly clear that the men must be paid so much less, or else injustice will be done to the master.

MR. DONALD CRAWFORD (Lanark, N.E.): I have said nothing which can bear the meaning which the hon. Baronet imputes to me. I entirely agree with him that, as a matter of course, wages would be affected by any such clause as this; but I have never said anything that could possibly have led anyone to believe that my meaning was as the hon. Baronet states.

SIR HUSSEY VIVIAN: It simply means this—that wherever these obligations exist you will have to re-adjust the wages of the men. I do not see any great difficulty in re-adjusting wages, but there are many other questions to be considered. One, for instance, is whether a ton of coal is a ton of coal. There is frequently 5 or 10 per cent of water, and, besides, there is always six, and very often 10 per cent, of waste and dirt in what is called coal. Then there is the question of the coal used by the miners themselves, by the engines and so forth. It is a large and complicated question. I entirely agree with the hon. Member for Morpeth (Mr. Burt) that it is not really an essential question; it is a bargain between masters and men, and whether they are paid for 22 cwt. or 20 cwt. really does not matter a straw—it is a matter of bargain simply.

Question put.

The Committee *divided*:—Ayes 140; Noes 165: Majority 25.—(Div. List, No. 258.) [11.0 P.M.]

MR. W. ABRAHAM (Glamorgan, Rhondda): In moving my next Amendment I hope it will not be my unfortunate lot to receive another castigation from the right hon. and learned Gentleman. The principle laid down in this clause is all we could have desired; but still it has failed in insuring to the men the true weight which is supposed to be given by the original clause. The clause says that coal shall be truly weighed. Now, a weighing machine may be, as I know it to be in some cases, 1,200 yards from the mouth of the pit. When the coal is brought to the weighing machine no doubt it will be truly weighed; but the coal lost in conveyance to the machine will never be weighed, so that the miner will be the loser to that extent. All we ask is that the weighing machine

shall be placed in a convenient position, in order to give the miner the true weight supposed to be given to him by the original clause. I do not think we ought to lose much time over this Amendment; the point is a very clear one, and the justice of the case is so evident that I hope the right hon. and learned Gentleman (Mr. Matthews) will concede the Amendment at once.

Amendment proposed, in page 5, line 3, after "accordingly," insert "at a weighing machine placed within thirty yards of the mouth of the mine."—(*Mr. W. Abraham.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I do not know whether the hon. Member intends to adhere to the distance, 30 yards, he has mentioned in his Amendment. An hon. Gentleman behind me suggests that it would be better if 100 yards were substituted for 30 yards. I have really no information and no opinion upon the matter myself; and I am anxious to accept the Amendment, provided it does not meet with the disapproval of any considerable number of Members. I shall certainly accept the Amendment if I find that no practical objections are made to it.

MR. W. ABRAHAM: Will the right hon. and learned Gentleman say 50 yards?

MR. MATTHEWS: Personally, I have no objection to 50 yards; but I just want to hear what those who are personally interested have to say. Subject to that qualification, I accept the Amendment; but I think the hon. Member should add the words "within 50 yards of the mouth of the mine from which the coals are drawn."

MR. W. ABRAHAM: Yes; I will accept the suggestion from the right hon. and learned Gentleman.

SIR JOSEPH PEASE (Durham, Barnard Castle): I think it would be better if the hon. Gentleman would say "a convenient distance from the mouth of the pit from which the mineral is drawn." This Amendment would prove most inconvenient in the case of the Cleveland mines, because there, owing to the natural circumstances, some of the larger mines being on the escarpment of the hills, the tubs are run to one common point, where they are all weighed previously to being placed on the railway waggon, and the weighing machine is half-a-mile from the mouth of the pit. This Amendment, as it stands, might involve six or eight different weighing places and as many weighmen and check-weighmen, to the detriment of the men as well as of the mine owner. If the hon. Member insists that the weighing machine shall be 30, or 40, or 50 yards from the mouth of the pit, it will entirely upset the whole of the arrangements in the case of the Cleveland mines. Surely it would be sufficient to say "within a convenient distance of the mouth of the pit, or at such place as the Government Inspector may order."

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): The hon. Member for the Rhondda Division (Mr. Abraham) knows perfectly well that I represent one of the largest properties in South Wales, and he is also aware that the owners of that property do all they possibly can to get the weighing machine as near to the shaft as possible. No one would ever dream of placing a weighing machine at such a distance from the mouth of the pit as would be inconvenient in the matter of the weighing of the coal. At present it is left entirely to the owner of the property to place the weighing machine as near to the shaft as is convenient to the property. I think the hon. Member would do well to withdraw his Amendment.

MR. W. ABRAHAM: No; I cannot consent to do that. I shall most certainly press it.

MR. WOOTTON ISAACSON: Then I will move that the weighing machine shall be placed as near to the mouth of the mine as is convenient to the owner of the property. [*Ironical laughter.*] At all events, I will move that the weighing machine shall be placed within a reasonable distance of the shaft, not within 30 yards as the hon. Member has suggested.

MR. W. ABRAHAM: What would be the effect of inserting the word "reasonable?" We have some colliery owners who believe that four or five miles is a reasonable distance. I was pleased that the right hon. and learned Gentleman the Home Secretary accepted the Amendment in such cheerful terms, and I trust that he will adhere to his decision.

MR. OSBORNE MORGAN (Denbighshire, E.): I hope the hon. Member will stick to his Amendment, which seems a very reasonable one. I cannot withhold my thanks to the right hon. and learned Gentleman (Mr. Matthews) for having accepted it.

MR. YEO (Glamorgan, Gower): I have no doubt that if weighing machines are situated four miles from the mouth of a pit there are very good reasons for it, and that prices have been fixed accordingly. I am quite sure that in insisting upon the Amendment my hon. Friend the Member for the Rhondda Division of Glamorgan (Mr. W. Abraham) is unconsciously imposing a very serious and onerous obligation on the owners of collieries. It must be remembered that in the South Wales mining district the price is paid on large coal after the small coal is rejected. That imposes on the employer the obligation of withdrawing the large from the small coal. That is an operation which can only be done at the side of a railway, and I venture to assert that in the case of many of the collieries in South Wales, and I have no doubt in other parts of the Kingdom, there is no railway so near as 50 yards. Even if it be possible to construct a siding within 50 yards of the mouth of the pit, that can only be done by the expenditure of several thousands of pounds. I sincerely trust that this Amendment will not be accepted, on the ground that it will impose at a most inconvenient and trying time an obligation of which my hon. Friend (Mr. W. Abraham) scarcely knows the extent. Many owners would be compelled to spend large sums of money to meet the fancy of my hon. Friend that the weighing machine should be within this particular distance of the mouth of the pit. I think that if an Amendment were carried providing that the weighing machine should be within a reasonable distance of the mouth of the shaft the necessities of the case would be fully met.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I understand that this Amendment only appeared on the Paper this morning. ["No, no!"] I think that is so. At all events, it has not been on the Paper more than a day or so, and I would suggest to the hon. Member (Mr. W. Abraham) whether it would not be, on the whole, desirable to withdraw the Amendment now, and bring it up again on Report. This is a question on which the Government are most anxious to meet the views of the Committee, and a rash and hurried acceptance of a legislative compulsion to place the weighing machine within a certain distance of the mouth of the mine is a course we could not agree to, as the matter is one which requires consideration, and that we should be able to fully realize what the obligations imposed on the owners are, and what the difficulties imposed on the workmen are. It must be borne in mind that if this industry is exposed to any difficulties which place the owner of a colliery, or those who are concerned in working a colliery at a great disadvantage respecting cost as compared with the results to be obtained, serious consequences may occur. I hope that, as the Government have the fullest desire to meet the views of hon. Gentlemen representing labour, the hon. Member will be content to withdraw his Amendment now, and give us and those who are interested in collieries time for consideration.

MR. MUNDELLA (Sheffield, Brightside): I think the suggestion of the right hon. Gentleman (Mr. W. H. Smith) is a reasonable one, and I do not think the Committee is in a condition to make up its mind on the Amendment of my hon. Friend. I hope, therefore, that my hon. Friend will accept the suggestion of the right hon. Gentleman the Leader of the House, and bring the matter up again on Report.

MR. BURT (Morpeth): I think the Government have met this proposal in a good spirit, and, therefore, I join in the appeal to my hon. Friend to withdraw his Amendment for the present. At the same time, it is only fair to state that the right hon. Gentleman the Leader of the House is mistaken in supposing the Amendment appeared for the first time to-day. It has been on the Paper for several days. I think a case has been made out for the exemption of iron and stone mines, and that is, perhaps, an additional reason for postponing the Amendment until Report.

MR. W. ABRAHAM: I am prepared to withdraw the Amendment, on the promise of the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) that an opportu-

nity will be given to bring the question up again. I assure the Committee that my case is not a fancy one, as the hon. Gentleman the Member for the Gower Division of Glamorganshire (Mr. Yeo) would have hon. Members believe. It is based upon fact, and I shall be able to prove that we are only asking that a few employers shall do that which the great majority do already.

Amendment, by leave, *withdrawn.*

Mr. ARTHUR O'CONNOR (Donegal, E.): The words of the clause, so far as they have been agreed to, provide that where a man's wages depend on the amount of mineral gotten the mineral shall be "truly weighed." Now, Sir, as a matter of practice the mineral is not weighed by itself; it is not separated from the vessel in which it is moved; but it is weighed together with the hutch tub or tram in which it is brought to the bank. The whole is weighed together, and then a deduction is made for the weight of the hutch or tram. Now, as these hutches vary a great deal in weight it has been found necessary to recognize some system of average—to allow a deduction of a certain weight for each hutch or tram. As a matter of fact, in a very large number of collieries, especially in the North, deductions are made far exceeding the real tare of the hutch. My Amendment, as worded, appears to suggest that at every mine every box, tub, basket, or hutch should be weighed. Inasmuch as there are sometimes many hundreds of hutches or trams in use at a time, it is obvious it would involve a great waste of time and unnecessary labour to weigh every one of them; indeed, it would not be practicable to do so. Therefore, I shall be perfectly prepared to assent to the introduction in the Amendment of any words which should limit the number of boxes to be tared—say, to 25, or to any reasonable proportion of those employed, which shall enable a fair average to be struck. I think I ought also to insert the word "tram" for "basket;" but I should like to hear what the Government have to say about the Amendment itself.

Amendment proposed,

In page 5, line 3, insert—"At every mine the boxes, tubs, baskets, or hutches used for the purpose of conveying the mineral from the working places to the bank, shall be tared by the owner's weigher and the check-weigher, and an average struck, such average to be tare of such boxes, tubs, baskets, or hutches for the ensuing period until the next taring."—(*Mr. Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

Mr. WOOTTON ISAACSON (Tower Hamlets, Stepney): According to my experience, which, in the Welsh mining districts, is somewhat great, is that the tare of a box or hutch is painted on the side. Employers are most anxious that the tare of the hutches should be correctly stated. We go to great pains to have the exact weight painted on the hutches. I do not know that anyone complains of the tare of the hutches being inaccurately set down. I have never known any grievance upon that score, and I should be very glad if the hon. Member would mention a single case. As I say, I have always found the proper tare painted on the side of the hutch, and I have never known any mistake made.

Mr. ARTHUR O'CONNOR: A grievance with regard to this matter exists in Lanarkshire and Ayrshire.

Sir GEORGE ELLIOT (Monmouth, &c.): The Amendment says—

"At every mine the boxes, tubs, baskets, or hutches used for the purpose of conveying the mineral from the working places to the bank, shall be tared by the owner's weigher and the check-weigher, and an average struck, such average to be tare of such boxes, tubs, baskets, or hutches for the ensuing period until the next taring."

Let me tell the Committee at once that this is all nonsense. It will save the time of the Committee if hon. Members will accept that from me as a fact without question. That is what ought to be done. There can be no ascertainment or approximation of the weight of these boxes, tubs, baskets, or hutches. Take a colliery where 6,000 or 7,000 tons of coal per day are raised, the mineral is weighed upon every tram as the tram is loaded, and then the tram, when it is empty, is weighed again, and the weight deducted from the gross. In this way you arrive at the actual weight of the coal, and there is no averaging or guess work about it. The collier gets paid for every ounce of coal he sends up. This Amendment is simply nonsense.

Mr. ARTHUR O'CONNOR: I have not in my mind such collieries as those to which the hon. Baronet alludes. The Law of Larceny was not meant for honest

men. It would not be necessary to pass a clause of this kind for those admirably managed ventures with which the hon. Baronet is connected. But all owners are not as honest as he is himself. Though the system he has described obtains in Durham or Yorkshire, a different system is pursued in other districts. There is no proper taring of hutches in Ayrshire and Lanarkshire. The Scotch colliers are particularly anxious that there should be an average taring of all the various sized hutches and boxes employed at their pits—though I do not wish to refer by name to any particular mines or pits in either of the counties I have named; yet, if it were necessary, I could state the mines in which distinct injustice is being done to the colliers in connection with taring of hutches.

MR. MASON (Lanark, Mid): I was about to suggest to the hon. Member who has moved this Amendment that he should withdraw it and allow the question to be raised on Clause 14, which deals with the appointment and removal of the check-weighmen.

MR. ARTHUR O'CONNOR: I shall not be unwilling to withdraw my Amendment for the present, if Clause 14 is the proper clause upon which to bring it forward.

Amendment, by leave, *withdrawn.*

MR. TOMLINSON (Preston): I beg to move in page 5, lines 12 and 13, to leave out "the banksman or weigher," in order to insert "some person appointed in that behalf by the owner, agent, or manager, and by the." The object of this Amendment is to provide for the different names which the individual here called the banksman receives in different parts of the country. The words, as they stand in the Bill, are to the effect that where stones or foreign substances other than the mineral contracted to be gotten are sent up in the hutches deductions shall be made, "such deductions being determined by the banksman or weigher and check-weigher." The banksman holds a very different position in some districts from that which he occupies in others. In some districts he is called by an altogether different name. It was found inconvenient to put in the clause a large number of names to cover the various districts; therefore, it is suggested, with the concurrence of many of those interested, that these words "the banksman or weigher," should be left out. There is a mistake in the Amendment as it appears on the Paper. The Amendment says leave out "the banksman and;" but it ought to be "the banksman or weigher."

Amendment proposed,

In page 5, lines 12 and 13, leave out "the banksman or weigher," and insert "some person appointed in that behalf by the owner, agent, or manager, and by the."—(*Mr. Tomlinson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BURT (Morpeth): I think that this is a very reasonable proposal, and I hope the right hon. and learned Gentleman the Home Secretary will be able to agree to it. What the workmen object to is to having the colliery manager himself or other person who is not specified in the Act, interfering with the laying out of the tub. All that they want to know is exactly the amount which is due to them. This is an Amendment to which there can be no objection.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I see no objection on the part of the Government to this proposal. The only doubt in my mind is as to whether the owner, agent, or manager ought to have the appointment of this individual. I do not know whether my hon. Friend has considered that point.

Question put, and *negatived.*

Question, "That those words be there inserted," put, and *agreed to.*

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move, in page 5, line 17, at end, insert "provided that such deductions shall in no case exceed three times the weight of such stones and substances." This is an Amendment of great importance in the West of Scotland. The clause in this Bill, which is the same as the clause in the existing Act, provides—

"That nothing in this section shall preclude the owner, agent, or manager of the mine from agreeing with the persons employed in the mine that deductions shall be made in respect of stones or substances other than the mineral contracted to be gotten, which shall be sent out of the mine with the mineral contracted to be gotten,"

and there are certain other deductions. Now, I apprehend that the fair meaning and intention of the statutory provision, when it was introduced, was to prevent the necessity of re-weighing, and to enable an average to be struck with regard to foreign substances, such as stones, which may be in the hutches. But this clause has been made the authority for a practice which I cannot help thinking this Committee will allow to be a very great abuse, and that is the imposition of penalties most extravagant in their severity upon the men. I will just give the Committee two examples. One is in a pit with which I am familiar, and it represents a very common practice in Lanarkshire. If, when the contents of a hutch are emptied over a screen, any foreign substance is detected amongst the mineral, however small that foreign substance may be in amount, the whole of the contents of the hutch are confiscated to the owner. I apprehend that that can only be made legal under this clause as a deduction. There is a still more elaborate system, not in collieries in my own district, but in the West of Scotland, which I will describe. If 3 lbs. of wild coal are found in a hutch a cwt. is deducted, if 4 lbs. 20 cwt.—that is to say, a whole ton. That is not only applied to the individual hutch; but, supposing a man sent up seven hutches, and in any one of them there was a quantity of dirt or wild coal, the whole of the hutches are subject to the same rule, and this enormous deduction is made. I am quite aware that one answer to the Amendment I move is this—that it is necessary that some kind of penalty should be permissible as a check against gross neglect on the part of the workman. That principle I entirely accept. I have endeavoured to meet it by stating that the deductions may amount to three times the weight of the stones or foreign substances sent up. I am not in the least wedded to that figure if the right hon. and learned Gentleman the Home Secretary will accept the principle I contend for—namely, that those very extravagant deductions which I have referred to are not intended or justified by the spirit of existing legislation, and that something should be done to render them impossible. There is, no doubt, another answer that may be made to my Amendment, and that is the answer the right hon. and learned Gentleman the Home Secretary has made on more than one occasion—namely, that it is a matter of contract. It is strictly a matter of contract, no doubt; but I am asking for protection for the workman against the effects of a wholly unreasonable and unjust bargain which may be forced on him. I hope I shall not expose my constituents, and the mining population generally, to insult such as they have been exposed to before, when I say that they require that such protection should form a part of the provisions of this measure. I think the right hon. and learned Gentleman the Home Secretary will acknowledge that in asking him to recognize this principle I am making a reasonable request.

Amendment proposed,

In page 5, line 17, at end, insert—"Provided that such deductions shall in no case exceed three times the weight of such stones and substances."—(*Mr. Donald Crawford.*)

Question proposed, "That those words be there inserted."

MR. HALDANE (Haddington): I think my hon. Friend the Member for Lanark has put his case for this Amendment even too low. It is not a matter of protecting people against their own contracts. It is a question of carrying out and giving effect to what is the general policy of the law—the policy which declares that clauses in the nature of a forfeiture shall, as a general principle, be considered as merely giving such damages as cover the extent of the loss. I take this Amendment to mean simply that a miner who, by mistake or accident, or even wilfully, chooses to put into the hutch of coal so much material that is not of a proper character, shall not be exposed to all the consequences of a heavy penalty, but is merely to be required to make good the loss occasioned by his act. This Amendment introduces nothing new into the policy of the law. It is simply carrying out the ordinary provisions which are familiar to the Courts of this country—even more familiar to them than to the Courts of Scotland; and I trust the Home Secretary will see his way to accept it.

SIR GEORGE ELLIOT (Monmouth, &c.): I am very glad that I see such practical men as my hon. Friend Mr. Burt present. ["Order, order!"] I beg pardon—I mean the hon. Member

for Morpeth. This subject happens to be something in my own line and that of my hon. Friend also. Anyone who has the experience of my hon. Friend in colliery matters will, I am sure, listen to what I have to say on a question such as this. I will tell the Committee a little story. In the years 1831-2 we had the greatest strike we ever had—it was in Northumberland. I do not know that there is anyone here who remembers it but myself. I happened to be a boy working at one of the collieries at the time. The strike was mainly based on two points. One had reference to the penalties which were exacted for sending up refuse with the coal from the mines; and what do you think the other was? Why, there was no question in those days of eight, or even nine, hours' work —I was like my hon. Friend the Member for Morpeth in those days, a practical man, and, as such, personally interested in the matter—but we wanted to get our hours of labour reduced from 14 to 12. That strike lasted 20 weeks, and I am sorry to say it was not conducted with moderation. We had magistrates shot and miners hanged in chains. Perhaps it is not altogether inopportune to mention these matters, because there is a controversy now going on as to the hours of labour. We do not work 14 hours a-day, neither do we shoot magistrates or hang workmen in chains. We should be guided more by the spirit of mutual confidence nowadays. I am sure I could trust my hon. Friend opposite and the miners who come here as Representative men, and I hope they could trust me. It is necessary to have some protection against bad workmanship, wilful neglect, and, it may be, maliciousness. Coals are the manufactured work of a mine. Supposing a man who is sending them up puts into the tubs or hutches a lot of rubble that is carried through the workings, perhaps, two or three miles, and is sent up where it gives further trouble. If a man puts a stone in every tub he damages the article he is manufacturing, and is it fair to say that all the penalty he is to pay is merely the loss of the weight of the stone or refuse he sends up? I do not believe there is a single Representative of the miners who would agree with such a proposition. I do not agree with the Amendment. It is absolute nonsense, and I hope it will be withdrawn. Some persons, when they deal with these matters, really do not know what they are talking about.

MR. ARTHUR O'CONNOR (Donegal, E.): It is all very well for the hon. Baronet, who has left behind him the ladder by which he rose, to turn round now and laugh at the men who are being swindled, as many of these men are, out of fair payment for the coal which they get at the peril of their lives. There are men, no doubt, who may be culpable in sending to the bank coal which is not clean when they should be sending up perfectly clean mineral; but there are many mines in the country where it is perfectly impossible, or all but impossible, for the men to avoid sending up a certain amount of dirt and stones, and to compel men who labour, as colliers do, in a bad light—with only a safety lamp—to submit to large deductions, is nothing less than a form of fraud. In several districts the men are either on strike or are about to strike in reference to this very question, for if a man sends up half a cwt of dirt or stones he is actually fined to the extent of a whole ton. If a man were unfortunate, it might very well happen that the fines inflicted on him might amount to more than his whole week's wage was worth. While there may be room—and I admit it—for a certain amount of penal deduction to be made in a case where it is clear that a man has very carelessly, wilfully, or wantonly sent up useless material which he has not contracted to get, I think some discretion ought to be required in the making of deductions. It is impossible to lay down a hard-and-fast rule for all the mines in the Kingdom. In one mine you may get the coal perfectly easily; in another, no miner, however careful he may be, can possibly send up clean coal to the bank. It is, therefore, as I say, not easy to have a hard-and-fast line. I do not think that this proposed three-fold deduction would be a reasonable one. A man, unless wilful neglect is shown, should not have deducted more than the weight of the stones or rubbish he sends up. Certainly, to suppose that the amount of deduction is to depend upon the good pleasure of the employer alone is monstrous. No amount of ridicule, no amount of "little stories" or repetitions of the statement that "the thing is ridiculous," and no

amount of declarations that hon. Gentlemen on this side of the House know absolutely nothing about what they are talking will alter the real essential facts of the case. The men at present in many instances are being robbed, and it is necessary that there should be some clause in this Bill to protect them.

MR. BARNES (Derbyshire, Chesterfield): The miners are accustomed in some parts of the country to riddle the coal through a ¾ inch or a 1 inch riddle, and it may happen that a man will omit to do that, sending the dust with the good coal. In such a case a penalty ought to be imposed. I certainly think the Amendment should be withdrawn.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I feel sure the hon. Gentleman opposite will withdraw his Amendment. I always listen to what the hon. Member says with pleasure—he is so thorough in what he says, and he acts with such honesty that we must all feel that he is actuated by a good motive and desires to promote the interests of those for whom he speaks. In the present instance, however, I feel he is mistaken in his view. In South Wales there is a totally different system of getting coal practised to that which prevails in Scotland. I have often felt that upon this question there should be one law for Scotland and another for South Wales. In South Wales the miner will never dream of sending up anything like refuse. All the refuse is dropped, and only good coal is sent to the bank. I do not see that any good can arise from the adoption of the Amendment. I would implore the hon. Member to withdraw it.

SIR JOSEPH PEASE (Durham, Barnard Castle): The question is a difficult one to deal with; but there is, no doubt, a feeling on the part of the men that legislation should not be silent upon it. I remember a friend once telling me that he had gone into a Methodist chapel in a mining district, and had heard the glories of the hereafter brought home to the minds of the miners by the description that it was a place where there were no "laid out" tubs. It is necessary that some measures should be taken to prevent rubbish being sent to bank by the careless workman. If coke is burnt the presence of rubbish will destroy the coke, and render it valueless for locomotive and iron making purposes; and if rubbish gets into household coal we all know what the result is. Particles fly from the fire, and the householder who has purchased it has his carpet burnt and his furniture destroyed. That turns the coal out of that particular house, to the great detriment of both employer and employed. In my opinion, when the contents of the tub pass over the screen and stone is found in it the miner should be fined according to the weight so found; but in no case should the fine amount to more than the price paid to the miner for getting the tub. I think, if any line is drawn, it should be drawn there. I do not see any other satisfactory rule which could be adopted.

MR. PAULTON (Durham, Bishop Auckland): We must not forget that the object of this Bill is to protect the workmen. Many of the provisions will not apply to well-managed mines, but it is conceivable, if the suggestion of the hon. Baronet (Sir Joseph Pease) is adopted, that certain managers or owners will insist upon the men losing the value of the tub in all cases. If a man is liable to lose the value of the whole tub he may be called upon to do so. It cannot be denied for a moment that it will be competent for a workman to incur such a loss as that. I have an Amendment on the Paper of a more stringent nature than the present one, but I did not move it on account of its stringency. That is a very serious matter, and one upon which too much stress cannot be laid. I sincerely hope that although the suggestion of my hon. Friend the Member for Lanarkshire (Mr. Donald Crawford) has not been received with as much favour as I had hoped, he will, nevertheless, not be deterred from going to a Division. I withdrew my Amendment, because I thought his was a more liberal concession to the views of hon. Gentlemen opposite, and that they would possibly, therefore, be disposed to accept his Amendment.

MR. BURT (Morpeth): I cannot myself support this Amendment in the shape in which it is framed. At the same time, I admit it deals with a very vexed question, which causes a considerable amount of dissatisfaction among the workmen. It seems to me it is impossible to lay down any hard-and-fast line to apply to the whole country. In Northumberland and Durham

we settle all these affairs locally. Even our trades unions decline to interfere; we compel each individual colliery to make its own settlements, and it is precisely in disorganized districts from which these appeals mostly come. At the same time, I do recognize the desirability of protecting the workmen so far as possible from imposition of this kind; and I do not know whether it would be possible on Report to deal with the subject or not. If it would it would be very desirable indeed to make a provision of this kind; but I cannot support the Amendment in its present shape.

MR. JOICEY (Durham, Chester-le-Street): I quite agree with the hon. Member for Morpeth (Mr. Burt) in what he has said, and I feel sure that if a reasonable arrangement could be arrived at, it would meet with the approval of most masters. But we must not forget that the conditions vary in different districts, and wherever there is a large band which dissects a portion of the seam, the wages are always fixed in proportion to the size and hardness of that band. A man is paid an increased wage in order to work that band and keep it separate from the mineral. The hon. Baronet (Sir Joseph Pease) referred to an important matter with regard to the Cleveland mines; but there is another important question which has not been touched upon. I happen to represent one of the largest collieries in Durham, and I may be allowed to call the attention of the Committee to the fact that it is of the utmost importance we should send our coal to market in as good a condition as possible. Exporters are rather at a disadvantage. The freight of coals is often 20*s.* and 30*s.*, and if coals are not properly cleaned the result is that when they are landed at a foreign port, not only will the value of the coal be deducted, but the whole freight. I have known several cases in my own experience where a greater value has been deducted from the invoice than the whole coal was worth. The Committee will see the importance of this matter, and I, for one, think it would be better to leave this matter to the arrangements of the different pits. I trust that this Amendment will not be pressed in its present form. If afterwards a reasonable Amendment can be produced I certainly will support it.

MR. DONALD CRAWFORD (Lanark, N.E.): I stated, when I moved the Amendment, that I was by no means wedded to its particular terms, and I am bound to say that they have met with very considerable criticism even on the part of my hon. Friends who sympathize with the Amendment in principle. I should like to ask the Home Secretary whether he would not be prepared to consider this matter seriously before the Report stage? If he can see his way to give us who are deeply affected by this grievance any satisfactory assurance on the point, I should be most happy to withdraw the Amendment.

SIR HUSSEY VIVIAN (Swansea, District): This question is a very serious one indeed, and I entirely agree with what fell from the hon. Gentleman the Member for Morpeth that it is very much better left to the various collieries. In my district patent fuel is very largely manufactured. Now, that is made entirely from small coal. The danger of dirt or shingle does not arise so much in the case of large coal as in that of small coal. The maker of patent fuel is bound not to exceed a certain percentage of ash; and, therefore, a constant check has to be kept on the small coal in order that it shall not contain more than a certain percentage of ash. If it did, and was made into patent fuel, that patent fuel would go abroad chiefly to France and Italy, and there be rejected. We check every tub of coal, and find it absolutely necessary to do so. If you do anything to relax the control that the masters have, and necessarily must have, over the clean working of coal you will utterly destroy the patent fuel industry in my district, which is a very large industry indeed. Therefore, the right hon. and learned Gentleman the Home Secretary must be extremely cautious what words he consents to in relation to this subject. I entirely agree with the hon. Member for Morpeth that it would be very much better to leave this question to each individual colliery to be dealt with between masters and men.

Question put, and *negatived.*

Clause, as amended, *agreed to.*

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

[*Second Night.*]

EAST INDIA AND CHINA MAIL CONTRACT.—RESOLUTION.

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [7th June],

"That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved."

Question again proposed.

Debate *resumed.*

MR. ANDERSON (Elgin and Nairn): Mr. Speaker, I beg to move—

"That this House disapproves of any Contract subsidizing any line of steamers to carry mails to the East for a long period of years without steps having been taken to assist the Canadian Pacific Railway, by a subsidy, to run a fast line of steamers from Vancouver to Asia."

I know that the Canadian people take a deep interest in this question, and I think that the House will agree with me that the question of the alternative route through Canada is one of great importance to this country. I venture to intrude upon the indulgence of the House for a short time, as it seems to me this is the occasion, of all others, when this question can be raised in the House of Commons. One word as to the contract we are asked to confirm. I do not propose to go into detail; but I desire to point out that this is a contract for a very long period of years—10 years. The tender was for six years; but the House will notice that, curiously enough, for some reason or other, the contract has been entered into for 10 years. I cannot help thinking that, bearing in mind the great changes which take place in steam transit, 10 years is a very long period indeed to bind ourselves for, in which a payment of no less than £2,640,000 is involved. Hon. Members will agree with me when I say that if 10 years ago we had been told that we could go in ocean steamers 18 and 19 knots an hour we should have ridiculed the idea. Now that is a common rate of speed in the Atlantic; but the rate of speed in this contract is fixed at what I venture to think a very low rate indeed. The contract speed from England to Shanghai is 11.20 knots, and for other portions at the rate of 12.30 knots. I think it will strike every hon. Member of the House who is familiar with ocean-going steamers to be an abnormally low rate of speed. Now, these seem to me points in the contract which are open to much criticism; but I desire to call the attention of the House to what seems to me a much more important question, and that is the desirability of having an alternative service of mails through our own country—Canada. The House is probably aware, indeed everybody knows, that the Canadian people, with great enterprize, have created a work which any Colony or any country in the world might be proud of. They have constructed, at enormous cost, a railway across the Continent of Canada, which forms an important link of communication between Europe and the Pacific. It was naturally supposed that some encouragement ought to be given to this great enterprize. I do not know whether the House is aware that in October, 1885, the then Conservative Government, through the noble Lord (Lord John Manners) the Postmaster General, invited tenders for the route through the Suez Canal, and also for the Shanghai and Japan route. Those tenders were invited at the slow rate of speed of 10 to 11 knots; but it was pointed out by Sir John Macdonald that a quicker rate of speed could be attained upon the Canadian Pacific route, and he suggested that the Canadian Pacific Railway should be allowed to tender. Accordingly, tenders were invited, and I think, in February, 1886, two tenders were made, one by Mr. Holt, and another by the Canadian Pacific Railway. I invite the attention of the House especially to the terms of the Canadian Pacific tender. They seem to me to be of a most liberal description. The first was to carry the mails between the Canadian shore and Hong Kong, at the average speed of 14 knots an hour. The House will remember that the highest speed under the contract in question is 12 knots an hour. For this purpose they were prepared to build, under Admiralty supervision, vessels of a first-class type, capable of steaming 18 knots an hour, and adapted, not only for the carriage of troops, but also for conversion, at short notice, into armed cruisers. They were prepared to carry troops on service and war materials and Government stores at absolute cost. That was to be done for a period of 10 years for an annual subsidy of £100,000 a-year. I will compare for a moment the cost according

to the Canadian tender and the tender in question. The House will at once see what a low rate it is. The Canadian Pacific Company tendered to carry the mails at a cost of 3*s.* 6*d.* per mile, while the cost per mile under the contract we have under consideration is 6*s.* 7*d.* The minimum speed is 14 knots by the Canadian Pacific route, as compared with 11 and 12 knots by the Peninsular and Oriental route. Besides that, there are extraordinary advantages held out by the Canadian Pacific Company—namely, a fleet of first-class steamers, which may be converted into armed cruisers; the carriage of our troops at cost price, and also the carriage of war materials. Well, the tender having been invited and having been sent in, one is constrained to ask for information as to why it has not been accepted. It has not been accepted; but, on the other hand, the House of Commons is asked to confirm a contract with the Peninsular and Oriental Company to carry those mails through the Suez Canal. Perhaps I might as well refer the House to the reasons which are given in the Treasury Minute for the non-acceptance of this tender. The first reason stated is, that the service to China offered by the Canadian Pacific Railway Company is not recommended by the Postmaster General or by the Chamber of Commerce at Hong Kong. That is a very strange thing, because it was certainly recommended by the noble Lord who was Postmaster General in 1885, when the tender was invited.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): No, no!

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): The Canadian Pacific was not in existence in 1885.

MR. ANDERSON: I think the hon. Gentleman must have some other railway in mind. The Canadian Pacific Railway was in existence in October, 1885. Certainly it is a very strange thing, if it was not in existence in 1885, that the noble Lord who was then Postmaster General should have invited tenders for the conveyance of mails by that particular line. I may be mistaken, but I do not think I am. The date was October, 1885; and I have certainly travelled on the Canadian Pacific Railway—parts of it. ["Oh, oh!"]

MR. STAVELEY HILL (Staffordshire, Kingswinford): June, 1886.

MR. ANDERSON: Perhaps hon. Members mean that there had not been a formal opening of every inch of the line. That is quite possible; but the line was practically completed in October, 1885. However, the late Conservative Government thought the line was sufficiently advanced to invite a tender from the Company; and a tender was made by Mr. Holt for £108,000, and there was the other tender made by the Canadian Pacific Company six months afterwards. The present Postmaster General says it is not recommended by him. I cannot understand that; I should like to hear the reason. It certainly was recommended by the late Postmaster General, and it certainly has been recommended by certain military authorities who have considered this question. It may be within the knowledge of the House that a Military Committee has considered this question, and has reported to the Government in favour of subsidizing the Canadian Pacific line. I am also correct in saying that a Naval Committee has also considered this question likewise, and that a large number of naval men have reported in favour of subsidizing this line. Although the present Postmaster General is, no doubt, an excellent authority on this matter, I do not think his statement is quite satisfactory. Then it is said that the Chamber of Commerce at Hong Kong does not recommend the route. But the Treasury Minute does not say that the Chamber of Commerce at Hong Kong is against it; and, besides, even in Chambers of Commerce, we know that there are wheels within wheels. I am not altogether certain that some influence may not have been brought to bear which may have prevailed upon the Chamber of Commerce at Hong Kong to withhold its recommendation in favour of this line. The next reason is very curious, and it is that the payment to be made to the Peninsular and Oriental Company would remain the same, even if the new mails were sent by another route. This, it was known, would be the case when the tender was invited. These are the reasons stated by the Government; and I venture to think that they are hardly satisfactory. I do not bring this subject before the House in any Party spirit. To my mind, it is not a Party question, but a great Im-

perial question. There is a strong feeling in the Colonies, and also in this country, that this great trade route, which you ought to foster and assist, would tend very largely to bind more closely together the Colonies and the Mother Country. This is the view entertained on the subject in Canada. Beyond this, I only propose to say one word, and that is in regard to the military value of the Canadian route. From a military point of view, this route might be of the utmost importance to us. Everybody knows—even non-naval and non-military people know—that the Suez Canal route to the East is a very insecure one. In time of war the Canal might be closed at any moment, and no power on earth could keep it open. Let the House consider for a moment the importance which, under such circumstances, would attach to an alternative route by way of Canada and the Pacific. By means of it we could send our troops and war material much more quickly and safely than by the Cape of Good Hope. Therefore, I am anxious to hear the views of the Government on the subject. It appears to me that, bearing in mind the importance which the Government attached to the question in 1885, when, in a *bonâ fide* manner, this tender was invited, they have not at the present juncture considered the matter with sufficient care; and I venture to hope that we shall hear from them some statement which will not altogether put an end to the belief that some assistance will be given to this line. I believe that the more the question is discussed the more important will it appear, not merely as a postal question, but as a question affecting the future interests of the Empire.

MR. SPEAKER: I observe that in the Amendment of the hon. Member it is proposed to leave out all the words after "That." I may point out that there is another Amendment on the Paper dealing with subsequent words which will be out of Order if the first Amendment is put in this form. It is exceedingly inconvenient to put a Motion such as this is down to certain words. I feel it my duty to mention this to the House.

MR. ANDERSON: Under these circumstances, if it is the pleasure of the House, I am perfectly willing to withdraw my Amendment.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Before the hon. and learned Gentleman the Member for Elgin and Nairn (Mr. Anderson) withdraws his Amendment, I am anxious to say a word upon the question, which may have the effect of simplifying the debate and shortening the speeches. I wished to state to the House that if the agreement with the Eastern Company was confirmed Her Majesty's Government would be prepared to assure the House that this would not compromise in any degree whatever the negotiations for subsidizing the line between Vancouver and Hong Kong. We have tried to keep these matters as separate as possible. Supposing there should be a subsidy granted and a Postal Service established between Vancouver and Hong Kong, it is perfectly certain that it would not relieve us from the necessity of making another contract and completing arrangements for the ordinary Postal Service between India, Singapore, Hong Kong, and China; and this would be looked upon only as a supplementary service, although probably it would be a most important and valuable service. I cannot see that any argument has been adduced why this subsidy should not be granted. With regard to the establishment of a line of fast steamers between Vancouver and Hong Kong, the Government are certainly at present inclined to examine most carefully the proposals which have been made by the Canadian Pacific Company and by the Canadian Government. There are two proposals before the Cabinet—first, a proposal of £100,000 subsidy for fast ships and a contribution from the Canadian Government of £20,000 towards that £100,000; and another proposal for a service of three ships, which would give a monthly service for £60,000, of which the Canadian Government are prepared to pay £15,000. There would probably be a postal advantage on account of the shortening of the time which the fast steamers would secure between England and Hong Kong, and still more between England and Yokohama and other parts; but we have to consider whether the advantages of a second postal line for military, commercial, and other reasons, and whether

the possession of three steamers specially prepared, as I believe it is proposed they should be, under the supervision of the Admiralty Authorities, so as to be available as armed cruisers in time of war, would be worth the large sum of money asked. But that is not the question before the House this evening. I am only anxious to state—and I am sure hon. Members will understand what I mean when, on the part of the Government, I make the statement—that we shall not be prejudicing the case of the Vancouver and Hong Kong route by determining the contract now before us—namely, that with the Peninsular and Oriental Company. I would ask hon. Members not to insist too much at this time on the value of the Vancouver route, which is an after matter, especially as we are in negotiation with the Canadian Government on the subject. If any great pressure were put upon the Government at this stage, and we were to adopt straight off the extremely valuable proposals made to us by the Canadian Pacific Company and the Canadian Government, it might impede us in making those pecuniary arrangements with them for the benefit of this country which we are anxious to secure. We would wish to have our hands entirely free. The hon. and learned Member for Elgin and Nairn will see, therefore, that if he withdraws his Amendment, he will materially strengthen the Government in dealing with this subject.

MR. HENNIKER HEATON (Canterbury): Before the Amendment is withdrawn, I would like to ask the right hon. Gentleman the Chancellor of the Exchequer whether it is intended that the whole of the cost of the Vancouver Service shall be charged to the Post Office? This is the great point we have to decide to-night. I protest against more money being taken from the Post Office Revenue than is now paid; otherwise, we shall never get a reduction of the present high rates. I am strongly in favour of the Canadian Pacific route, and the Post Office expenditure is now sufficient for both services, if equally divided.

MR. GOSCHEN: Without wishing to commit the Government in the least, I may say that I should prefer not to charge the Post Office for services which are postal in one sense, but which are undertaken partly for political, commercial, and other objects. It is, however, an extremely grave and delicate matter, and I do not wish to commit the Government on the point.

MR. PROVAND (Glasgow, Blackfriars, &c.): I rise to propose the Amendment on the Paper in my name—namely, to leave out the words "be approved," and to add—

"Be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons."

The contract is for carrying mails to India and China for 10 years, beginning in 1888, and terminating in 1898. The service will be a weekly one to Bombay, and a fortnightly one to China; and the terms are an annual subsidy of £265,000. So that during the continuance of this contract the total liability incurred will be £2,650,000. I would remind hon. Members that, until approved by the House, the contract that has been made is of no effect. There is a clause in the contract which says so, and there have been similar clauses in previous contracts made with the Peninsular and Oriental Company; so that they are perfectly aware of the fact. With a view of shortening the remarks I have to make on this subject, I sent a statement to hon. Members of the House a few days ago. I find, however, that a number of hon. Gentlemen did not receive this statement; and on that account I may have to give as shortly as possible some of the facts which were set out in the document. In asking the House to refer this contract to a Select Committee I shall confine myself to three reasons. In the first place, I submit that the contract is inadequate; secondly, 10 years is too long a period for which to make a contract of this kind; and, thirdly, the subsidy is much too high. Now, Sir, the inadequacy of this contract may be shown by my quoting a few figures relating to the trade of India. The contract proposed is for a weekly service to India. Now, we had that 20 years ago; and 20 years ago the value of the whole export and import trade of India was £70,000,000. At the present time the export and import trade of India amounts to £140,000,000; and before

this contract comes to an end there is no doubt that it will much exceed £200,000,000 sterling. During these 20 years the internal trade of India has also developed enormously, and is in rapid process of further development. Since railways were introduced into India our commercial connections have become much greater and more numerous; but, notwithstanding all that development, the Post Office Authorities, by this contract, propose no greater facilities, down almost to the end of the century, between this country and our greatest Dependency than existed 20 years ago. The second reason against the contract is that the term of 10 years is too long a period, as it shuts out any improvement in our Mail Service to the East during that time, no matter how necessary it may be shown that there should be improvement. In order to show clearly the effect of signing this contract for so long a period, I must ask hon. Members to consider the two parts into which it is divided—the India Service, and the China Service; and I should like, first, to say a few words in regard to the former. It is not certain that in 10 years we shall have complete railway communication to India; but it is almost certain that we shall have complete communication for the conveyance of mails, as there are now only a few hundred miles of a gap between the Russian Trans-Caspian Line and the North-West part of our own railway system in India. Of course, diplomatic difficulties may prevent these railways being joined for some time; but it may happen within two or three years, and when it does come about it is quite certain that all the mails from this country to India will go by railway, because, when the line is complete, the time from London to Bombay will be 9 or 10 days, instead of 17 days by the Peninsular and Oriental Company's route. The correspondence with India is chiefly official and mercantile, and must go by the shortest route, no matter how much it may cost the senders. But, according to this contract, we shall have to go on paying £265,000 a-year for the whole period of 10 years, although during that time we discontinued sending any letters whatever by the old route. If the contract was made in the same way as the Atlantic contracts—that is to say, if we paid for the weight of mails carried, my objection would lose much of its force, because, the Peninsular and Oriental being the slowest route, it would get no mails and no money. But that is not the case. No matter how slow or ineffective the route may be, we must continue paying the whole £265,000 per annum up to the last day of the 10 years. Now, as to the other country affected by this contract—China. Here we find a state of things much worse. I need not in this case ask hon. Gentlemen to consider the possibilities of the next 10 years; I will only ask them to consider the mail facilities that now exist between England and China. We have four Mail Services between this country and the East. We have the French line, which goes to Shanghai fortnightly, the average mail time being 37¼ days. The fastest time of this line is 34½ days, and the slowest 39½ days. There is also the North German Lloyd's line monthly to Shanghai; the average mail time being 32 days to Hong Kong, and 37 days to Shanghai—allowing for detention at Hong Kong. There are also two lines by the North Pacific—the British American, *viâ* San Francisco, three or four times monthly, its time being 40 days from London to Shanghai, and 35 days from Shanghai to London, or an average of 37½ days; and the new line *viâ* Vancouver, of which we have just heard that it is intended for the present to run every three weeks, and which will certainly make as fast time as the steamers *viâ* San Francisco. There are, therefore, four mail lines already to China and Japan carrying mails in from 34½ to 40 days. The services are about equivalent to eight mails per month; and this new contract with the Peninsular and Oriental Company proposes to add to these eight mails two more, the average time of which would be 39½ days, the fastest time mentioned in the contract being 37¾ days, and the slowest 42 days; and this contract is to continue until 1898. I would draw the attention of hon. Members to the fact that by the lines now running we have eight mails per month averaging 37½ days, and costing us nothing in subsidies, and in some cases from a quarter to a half less postage than our Post Office must charge for letters sent by our own steamers; and it is to these services already provided for us at these rates that the Postal Authorities propose to add a fortnightly service, which, with the India Service, is to cost us £265,000 per annum. The Vancouver

line is connected with the Canadian Pacific Railway and the British American line with the United States Pacific Railway; and the competition between these two lines will compel them to go a great deal faster than they are doing now, with the result that in the near future, without any subsidy whatever, the North Pacific route will not exceed 30 days — namely, 7 days in the Atlantic, 6 days crossing America, 13 days from San Francisco or Vancouver to Yokohama, and 4 days from Yokohama to Shanghai. This will be nine days less than the time set forth in the contract with the Peninsular and Oriental Company. The Peninsular and Oriental Company's contract is already obsolete in point of speed. It is slower now than either the German or French line; and notwithstanding this it is to be our only British route to China except the Pacific, and is to cost us an annual subsidy of £265,000 for 10 years. I would also draw attention to the different manner in which the Companies have been dealt with. No hon. Member with an open mind can read the documents which I have read in the Library, and come to any other conclusion than that the Peninsular and Oriental Company is dealt with very differently from any other Company we know of. Our Governments are always keenly alive to possible improvements in the Atlantic Service. Six months ago the right hon. Gentleman the Postmaster General (Mr. Raikes) refused to make the Atlantic contracts for between one and two years, on the ground that the period was too long; and in a Memorandum explaining this, he said—

"Bear in mind that the Post Office would be precluded, by the terms of the Cunard and Oceanic Companies' tenders, from making any improvement in the service for nearly two years, however much improvement might be demanded, and the Government felt that they had no alternative but to refuse the joint tenders."

These tenders were only for a period of 22 months; yet, in the present instance, the right hon. Gentleman the Postmaster General has signed a contract with the Peninsular and Oriental Company for 10 years, and he says not one word about the desirability for improvement in all that time. He is sanguine of early improvement where steamers run 18 and 19 knots an hour, and on a route which can never be altered—it must always be across the Atlantic—but he does not appear to consider the slightest improvement possible in our Eastern Mail Service, where steamers do not run two-thirds the pace of Atlantic steamers, and where the route must ultimately become one of railway. In regard to my third objection, that the amount of the subsidy is much too high, I must draw your attention to a comparison between the rates charged by the Pacific and Atlantic lines. I will mention one or two facts in connection with this branch of the subject, which I think are very striking. From 1854 to 1867 the Peninsular and Oriental Company received subsidies which were equal to 4*s.* 2*d.* per mile; but in 1867, at the request of the Company, Mr. Scudamore made a Report, and he recommended the Government to raise the subsidy to an equivalent of 6*s.* 1*d.* per mile. Now, this contract we are considering is equal to 6*s.* 2½*d.* or 7*s.* 3*d.* a-mile, according to the way in which the mileage is calculated. According to Clause 14 of the contract, if taken advantage of, the total will be 732,000 miles, and the contract will then represent 7*s.* 4½*d.* per mile. While we propose to give the Peninsular and Oriental Company by this contract considerably more subsidy, the speed of their steamers has increased about 20 per cent. Twenty years ago we gave the Atlantic Steamship Companies 18*s.* a pound for the carrying of letters, and only the other day we concluded a contract for 3*s.* per pound —less than a-fifth of the price we paid 20 years ago, while the service is carried on by steamers almost twice as fast as were the steamers of 20 years ago. Now, of course, it will at once occur to the minds of hon. Members that this may be explained by the development of the steamship trade across the Atlantic. Nothing of the kind; the development has been all the other way. When the Peninsular and Oriental Company got 4*s.* 2½*d.* a-mile, they had the monopoly of all the Steamer Service to the East. Even in 1867, when they got 6*s.* 1*d.*, they still had the monopoly of the Steamer Service, which they held until the Suez Canal was opened. But since the Canal was opened many large Shipping Companies have developed the Eastern trade; and, as a matter of fact, notwithstanding all the subsidies received by the Peninsular and Oriental Company, it is not the largest Shipping Company connected

with the East, though other Companies have not received a sixpence of public money. Neither has that Company the fastest steamers. Relatively it has gone down, not gone up, notwithstanding all the assistance. Four Companies carried the Atlantic mails in 1867, and I believe the same four Companies carry them to-day. There has been no development in Atlantic steamers fast enough for mail carrying, as there has been in the Eastern trade; and where in the first-mentioned instance we pay a fifth of what the rate was 20 years ago, where the development of trade has been much greater—that is to say, by way of the Suez Canal—we pay more than we did then. There is a Treasury Minute attached to the contract to which I might refer at length; but I think I have established my objections to the proposal—that it is inadequate; that 10 years is too long a period; and that the subsidy of £265,000 is much too high, equivalent, as it is, to 6*s.* 2½*d.* or 7*s.* 4½*d.* a-mile. Now, I am not advocating the rejection of this contract upon my present case; my Motion is that it may be referred to a Select Committee. By doing this it is impossible that we can lose anything, and no Member can estimate how much we might gain by devoting to it the consideration of a Committee. If that Committee should decide that this is the best contract that can be made, and asks the House to confirm it without any modification whatever, then we shall all have the satisfaction of knowing that the Treasury, in this instance, has made the best possible bargain for the country. Perhaps I may remove from the minds of hon. Members any terror as to the formidable nature of the labours of such a Committee. The last Committee on such a contract sat some six or seven times, and from the day it was nominated to the day the Committee reported only a few weeks elapsed. There need, therefore, be no dismay at being asked to serve on such a Committee. It may be here necessary, perhaps, to say a word or two as to how these contracts came before the House in this way. I believe that until 1869 the Government could make contracts of this kind without any reference to the House of Commons at all. Of course, this led to scandals; and in 1869 the Standing Order was made that requires that all these contracts shall come here to be confirmed. Now, it is quite certain that the House, as a whole, is unfitted to consider and decide on contracts of this kind. In the first place, there are only a few Members of the House who have seen or read this contract, and of these only a few are acquainted with the facts sufficiently to qualify them to discuss its merits. One must not only read this contract, but be acquainted with the terms of previous contracts, must know not only the terms of this, but the terms for similar services elsewhere, and, in fact, must have made mail contracts a study. It is impossible for the House to do this. Of course, any Member can do it for himself, and a Committee could do it. If the Government persist in resisting my proposal, it would be much better to expunge the Standing Order from the Book. When that Order was placed there it was in contemplation that this House should have an opportunity of examining these contracts; and the only way in which that examination could be effectual would be by a Committee. If you force the contract through, then wipe the Order out of the Book at once, and say—"We will do as we please; we do not care whether you like it or not." Indeed, to do so now would be a great deal worse than when there was no such Standing Order, for then if the Government made a contract, and it turned out to be a bad one, they had to put up with the responsibility, and accept the blame for its defects; but now, while they threw the responsibility of accepting the contract upon the House, they would be denying to the House the power of making an inquiry thereon. There are many precedents for the course I propose. Committees on Postal Contracts sat in 1849, 1851, and in 1866. Committees such as I ask for were appointed to consider the Cape Contract and that for the New York Service in 1869 and in 1873. Since the last-mentioned date I have been unable to find that a Committee has sat on any contract; and upon that I may say that if for 14 years there has been no such inquiry, that is in itself a reason for such a Committee being appointed, for in that period the facilities of our mail system have been revolutionized. There have been more changes in those 14 years in the conditions and facilities for carrying mails than during the whole previous period during which steamers have carried mails. I have dealt with the reasons against this

contract, and I might stand here for hours if I were to deal adequately with the elaborate document itself. Hon. Members have a notion that we must subsidize in order to encourage British commerce, and that if we do not foreigners will somehow capture our trade, and we shall be materially damaged. Now, there is no truth whatever in such a statement; for notwithstanding the enormous payments to the Peninsular and Oriental Company, that Company has not maintained its relative position to other Companies; it has gone back. Neither have those subsidies kept foreigners from establishing steamship lines to the East. A French Company has established the fastest line to China, the Germans have recently established a line, and other nations have done the same thing without the assistance of a subsidy. Then, when we come to look at how the granting of these subsidies to the Peninsular and Oriental Company has encouraged trade, I rather think that some hon. Members will be surprised when I tell them that a Company like the Peninsular and Oriental, which for years enjoyed a monopoly of the steamer trade with China and the East, that has received I know not how many millions sterling, and to whom we should naturally look for sympathy with, and encouragement of, British trade, has used its subsidized position to encourage foreign trade. I am myself engaged in traffic with the East, and I will give the House my experience. If I want to send bar or nail rod iron of British manufacture to Shanghai I pay 25*s.* a-ton. If I send iron of Continental manufacture I also pay 25*s.* a-ton, but I receive a return of 4*s.* 6*d.* Continental manufactures are carried cheaper by the Peninsular and Oriental Company to China and Japan than are British manufactures. I export from Lancashire the finest quality of cotton goods to compete with American cotton goods; but while I pay 42*s.* 6*d.* per ton for freight, American goods are carried to Shanghai for 27*s.* 6*d.* per ton. That is how the Company encourages the export trade and discourages the foreign export trade to China. Looking at trade from the opposite direction, they carry tea to the Continent at lower rates of freight in the same steamers as they carry tea to London, and some of the tea has come here from the Continent and competed with our own importation at this lower freight; tea has also been carried to New York for less than to London. Hon. Members may be familiar with the trade of Luton in Bedfordshire. That trade largely imports straw-braid from China; but the Continental Lutons can obtain this straw-braid much cheaper than can our manufacturers; it is brought from China to England, and then transhipped to the Continent, at a lesser freight than it is delivered in London. I need not go into the precise freights, though I could give them, it would be but taxing the memory of hon. Members with too many details; but these, and other statements, I will undertake to prove up to the hilt before a Committee. The Peninsular and Oriental Company have done this for years, and is doing it at the present moment, and if we give them £265,000 a-year it will go on doing it. When the French Government made a contract with the *Messageries Maritimes* it took very good care to insert a clause to prevent the Company treating French commerce as the Peninsular and Oriental Company have treated English commerce. Hon. Gentlemen opposite sometimes allude to Fair Trade. I wonder whether they have considered the dealings of the Peninsular and Oriental Company with our trade, and think them fair? I think some of them have said a good deal about the wickedness of Continental Sugar Bounties; but what is the difference of a bounty given by a Continental Government to sugar manufacturers, and a bounty given to Belgian iron rail manufacturers by the Peninsular and Oriental Company? There is no difference whatever, in either case it is money out of the pocket of our own manufacturers. There are some who think that the Peninsular and Oriental Company having contracted to supply a particular service while they do so have a right to do what they like with their subsidy. I deny that. I have no charge whatever to make against the present Government. If I were to go back for 20 years, I should have difficulty in apportioning the blame to each and every Government. I have, therefore, nothing to say against the Government. These contract subsidies for the Peninsular and Oriental Company have come down to us, from 1867, and, in fact, no Government since then has had the strength of mind

or originality enough to shake off the fetters that have bound them in respect to this Eastern Mail Service. When the first large subsidy was granted, in 1867, I find that the Company submitted their accounts of probable earnings for ordinary trade and probable expenditure for carrying on the service, and said they required a certain subsidy to pay a dividend which they put at 6 per cent. Now, I do not know whether the present Government have continued the practice of receiving accounts of the expenditure and earnings of the service; but it will be found that it was a recommendation of a Committee so far back as 1849, and if it has been omitted this or previous Governments are much to blame for the omission. When the Peninsular and Oriental Company estimated their expenditure I should like to know if they put down anything for the money returned on Continential manufactures, the return of so much per ton on Belgian iron, whether they estimate the returns on tea to the Continent, on exports to America on straw braid, and all the other things? If they did not put it down then they obtained the subsidy by concealment. I should like hon. and learned Gentlemen to have occasion to descant upon this in Court, and I have not the least doubt that they would not confine themselves to the mild expression I have used, but would adopt a more muscular form of English. It is whether this is so or not that the Committee should report. There are some defences in the Memorandum attached to the Contract which I should like to look at. It is said we save £107,000 by the contract, and I admit it is thus much less than the last one. But the last contract and this one are on the same footing. Had I had the honour of a seat in the House when the last contract was settled, I should have objected to it quite as much as I object to this one, and I might have had other reasons, besides those I have urged now, and they would have been the stronger by the increase in the amount to what it is now asked for. There is a standing reply of the Government when speaking about contracts of this kind; they say —"We did all we could, we advertised for tenders and received them." Very well, there is something in that, but how did they advertise? They advertised in this case for a service from Brindisi to Alexandria and then by railway to Suez, and they limited tenders to seven years. I have a copy of the advertisement, and they say the contract will not be entertained for longer than seven years. But what have they done? They altered the contract to 10 years, and, more than that, they altered the route to the Suez Canal, by which they lose a day and a-half, and, in addition, run the risk of the blocks that are continually occurring there. Only 18 months ago there was an absolute block for 10 or 12 days, and for a further period steamers got through with the greatest difficulty, and these blocks will constantly occur. Then they say they did not get tenders, and that Companies will not tender against the Peninsular and Oriental Company. I will tell the House why. I have it on the highest authority from the owners of Steamship Companies. They say it is idle to tender against the Peninsular and Oriental Company when owners are treated as Mr. Holt was treated. After the Government received his tender for the last contract, they wanted something different. Did they communicate with Mr. Holt to give him an opportunity to vary his tender? Nothing of the kind; they sent no communication, but immediately settled with the Peninsular and Oriental Company for something quite different to what they asked for in their advertisement. In 1880, Mr. Holt experienced the same thing, no notice was given, to him or opportunity to vary his tender. How, then, can it be expected that owners of steamship lines will consent to be treated as he has been treated? He is not a small owner; he is owner of one of the most successful lines with nearly 30 steamers, and this fleet has grown up during 20 years without the assistance of any subsidy. Now, I mention a fact that will show how we might, with economy, increase our postal facilities if we availed ourselves of our Mercantile Marine as we ought. This contract is for two services—India and China—and the proportion for the latter is £136,000. The Peninsular and Oriental steamers are not fast vessels; but there is a Company with faster ships that could undertake the Mail Service between this country and Shanghai for half the amount of the £136,000 proposed to be paid to the Peninsular and Oriental Company. I allude to the "Glen" line of steamships, which for speed and efficiency the

Peninsular and Oriental Company cannot compete with. Hon. Members who by their votes defeat my Amendment must make up their minds to an expenditure of twice as much on this service as they would pay if the Government treated those who tendered in open market properly and fairly. I am not speaking of something with which I am imperfectly acquainted. I have devoted considerable time and trouble to the acquisition of my facts, and have ascertained what Shipping Companies are ready to do. I have not had time to possess myself of what could be done in the Bombay Service. In bringing my remarks to a close I repeat that I make no charge against the Government for all the past, but if they defeat my Amendment, then they undertake a defence of the Peninsular and Oriental Company, they endorse that policy against the interests of British commerce to which I have referred, they mark their approval of what the Company have done in the past, and encourage the Company to continue their policy as they will, so long as they receive what I may call these bloated subsidies. I think there is no hon. Member who has not expressed to his constituents his eagerness to economize the National expenditure. Here is a case where economy can be effected, and those who vote against me will not only refuse to economize on this particular point; but will say—"We will prevent you from attempting to make good your case in favour of economy. We will deny the inquiry by Committee." There is a clause in this Contract to which I would draw attention, that no Member of the House of Commons shall seek benefit from the contract; and, therefore, I would put it to hon. Members who are shareholders in the Company that it would be becoming on their part not to vote in the Division. One word more. We have it from the right hon. Gentleman the Chancellor of the Exchequer that this is not a Party question. Every hon. Member of the House is at liberty to vote as he pleases, and whatever reply is made from the Government Bench will, I hope, contain this assurance.

MR. SAMUEL SMITH (Flintshire): I rise to second the Motion so ably moved by the hon. Gentleman the Member for the Blackfriars Division of Glasgow (Mr. Provand). I think the House is very much indebted to the hon. Member for the pains he has taken to throw light on this question. He has furnished the House with a very able memorandum on the subject, and I believe that but for his exertions it is probable that this contract would have been rushed through the House almost without discussion. I think he has made out a very strong case indeed, and it will surprise me if any hon. Member is able to rise and refute his arguments. This, as has been said, is not a Party question, and I think it will be generally admitted is eminently one for consideration by a Select Committee. We are dealing with a very large expenditure of public money, much the highest contract that this country enters into for Postal services, and I must take exception particularly to the inordinate length of time during which this expenditure of £265,000 a-year is to continue—10 years—when we recall the remarkable changes, the revolutionary changes, in the conditions of steam ships that have taken place in recent years. We have seen the speed of steamers increased from 10 knots to nearly 20 knots an hour. But it is proposed to make this contract for carrying our mails at the rate of 12 knots an hour as against the 18 or 20 knots that are now being regularly run by the steamers which carry our mails to and from America; so that what it comes to is this—that it is not unlikely that, in the course of a very few years, the line of steamships for which this contract is being made will be, to a large extent, superseded, and yet we shall be paying an enormous mail contract to the Peninsular and Oriental Company while our mails are being sent to India and China by another route. Moreover, I would point out to the House that railway communication with India has now been nearly completed, and we must not be too sure that it will not be entirely completed within a short period. I have no doubt the people of this country would prefer that we should be able to maintain the complete neutrality of the belt of territory which at present exists between the Russian possessions and India, leaving that belt entirely untouched by any railway; but the question is not what the people of this country would prefer, but whether it is probable that a railway will be made

that will complete communication with India. To my mind, there seems to be very little doubt that in a few years the intervening belt will be bridged over; because the Russians have brought their railway already to somewhere in the neighbourhood of Merv, and are now within about 600 miles of our Indian frontier; so that it is not at all unlikely that, in some way or other, the two systems of railway—Indian and European—will be joined in the course of probably a few years. In such an event, what would be the route by which we should send to India? Would it be by means of a Steamship Company which takes 16 days to perform the journey, or by a railway which would only take 9 or 10? Commerce always chooses the fastest route, and, as a matter of course, the mails would be sent by the railway, so that in the course of a very few years we may find ourselves burdened with payments amounting in all to £2,650,000 for a service that in reality will be merely a nominal one. As a consequence of this contract for mails to India, it may be said by some future Chancellor of the Exchequer —"Why was the country led into making such a foolish bargain?" This seems to me a good reason why we should pause a little before putting the country to so enormous an expense as this contract will involve. The proposition made by the Amendment of my hon. Friend is, as the House must see, a very moderate one. It is merely that the whole matter should be submitted to the consideration of a Select Committee. This is the only means by which we can really bring the matter under the judgment of the House. It is, in point of fact, a sheer anomaly to lay Papers on the Table of the House and say the House has to give its judgment upon them. Why, Sir, whole piles of Papers are constantly being laid on the Table of the House, and very few of those are hon. Members ever able to study—I doubt if most hon. Members read a tenth part of them. Papers are, in fact, laid on the Table of the House just as a matter of form; and the only way in which a true judgment can be formed is by the action of a Select Committee. In conclusion, I would say that I have risen rather with the view of facilitating the action of the hon. Gentleman who moved the Amendment (Mr. Provand) than with the intention of going myself fully into the matter. We are all, I feel assured, deeply impressed with the necessity of economy in connection with this matter. We have formerly had a very extravagant expenditure in regard to postal contracts; in addition to this we have had to meet the effects of a depressed state of trade, and I think that we really ought to think twice before we agree to squander, it may be, £100,000 or £200,000 a-year more than is absolutely necessary. We are, I think, bound, under all circumstances, to look at this question in the light of strict economy. I hope Her Majesty's Government will be able to intimate that they will leave this question to be freely dealt with by the House apart from any political or Party considerations, and if it be understood by the House that no pressure is to be put on the action of hon. Members, but that each is to be at liberty to vote as he may think best, I believe the result of this discussion will be that the opinion of the House will be in favour of the Amendment proposed by my hon. Friend.

Amendment proposed,

To leave out the words "be approved," and add the words "be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons."—(*Mr. Provand.*)

Question proposed, "That the words 'be approved' stand part of the Question."

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I trust, Sir, I shall not detain the House at any inordinate length, having regard to the hour at which this discussion was raised and the hour it has now reached; but I think it necessary that I should endeavour to follow the hon. Gentleman (Mr. Provand) who introduced the Amendment to this extent, that I should touch in some way upon the various points he has suggested to the House in support of his argument. The hon. Member has undertaken to show that his Amendment ought to be accepted by the House, because he considers that the contract recently concluded between Her Majesty's Government and the

Peninsular and Oriental Company—subject, of course, to the sanction of this House—is inadequate. His second line of attack is that the period for which it has been made is too long, and his third grievance is that the subsidy it is proposed to pay is too considerable. Now, Sir, we have been made familiar with, at all events, the *precis* of the arguments used by the hon. Gentleman in the earlier part of his speech, from having had the opportunity of reading a circular which he has furnished to Members of this House, and as the hon. Member sent me, among others, a copy of that circular, I was to a certain degree made aware of what was the gist of his argument. But I confess I have been rather surprised to find that the hon. Gentleman has given to the House several statements which I think he will find it difficult to substantiate, even if he were able to get the Committee for which he asks; and some of those statements, I think, should hardly have been made to the House unless stronger proof than he has given was forthcoming as to what he has said. I will first deal with his most general position, and that is with regard to the trade of India, which the hon. Member says has increased during the last 20 years from £70,000,000 to £140,000,000, the hon. Gentleman finding in that a reason for requiring a more frequent service between this country and India than that which is proposed to be undertaken by the Peninsular and Oriental Company. I can only reply to that by saying that, assuming the principles to prevail which have hitherto prevailed in dealing with matters of this sort, if we are to have a more frequent service we must be prepared for a more considerable charge, and I must say that I do not think it is consistent for the hon. Member in one breath—or rather in two consecutive breaths—first of all to blame the Government for providing an inadequate service, and then to say that the sum we propose to pay for the future contract is too considerable. The fact is that as far as we can judge, although the trade of India has happily increased, and, I hope, will continue to increase, a weekly service has been found sufficient; but as the hon. Member told the House there are other services in the hands of foreign countries, and if those foreign countries found the present English service insufficient, those foreign countries would be doing a brisk business in carrying English letters. This, however, is not the fact, and until it is, I do not think the hon. Member will be able to prove that the present weekly service is inadequate. Then, Sir, the hon. Member goes on to say that the 10 years during which the contract is to continue might shut us out from making other arrangements. Why, of course, any contract we may make must necessarily shut us out from making another until that contract is terminated. If one were made for five, six, or seven years, we should be shut out from making any other during that period. The length of any contract is naturally an obvious objection that can be raised to it; but the real question is whether we get a sufficient *quid pro quo* as the consideration which induces us to make a longer contract than we might otherwise enter into. The reasons why Her Majesty's Government have consented to the making of a contract with the Peninsular and Oriental Company for 10 years are sufficiently set forth in the Treasury Minute to which reference has been made, and which I think is sufficiently well-known. The fact was that the contract could be made for £25,000 a-year less if it were made for 10 years than if it were made only for seven. Now, the sum of £25,000 a-year for 10 years represents £250,000, and the result is that I believe the country is making by means of this contract a very advantageous bargain to the extent of a sum of something over £300,000, when you have to calculate also the interest which would accrue upon this capital sum; and yet it is in the name of economy that the hon. Member opposite (Mr. Provand) proposes that we should set aside an arrangement which will produce this result. But the hon. Member has been eloquent with regard to the advantages of an alternative Transcaspian route, as a means of conveying British mails to India. I think that if the hon. Member had given as much attention to the general tendency of public opinion in this country as he has bestowed on the ancient records he has been studying in the Library, he would have been aware that any Ministry would be a very short-lived one which proposed that the mail communication between this country and her Indian dependencies should be carried by a railway in the hands of Russia. A proposition more absolutely impossible was never submitted to this House as an alternative

arrangement. Well, then, the hon. Member says we might manage this matter by making arrangements with some Company for payment by weight, such as is made with regard to the Atlantic mails; but I could here point out that the hon. Member leaves out of sight the fact that we are able to make arrangements for the conveyance of the Atlantic mails by weight because of the keen competition that is carried on between the different Steamship Companies that run their lines of steamers across the Atlantic. It is a fact that the payment for the conveyance of mails across the Atlantic has fallen from a very much larger sum to the sum of 3*s.* per pound, which is the rate at which our letters are now carried; while, on the other hand, it is owing to the absence of competition that we are obliged to pay the much larger sum that is required by the subsidy under this contract with the Peninsular and Oriental Company for the conveyance of the East India and China mails. But I should have liked the hon. Member (Mr. Provand) to have told the House of a single example of a Company which has shown its willingness to carry mails on the Eastern Seas on the principle of payment by weight. The Orient Company has a contract for the conveyance of mails from Ceylon to Sydney by weight; but, besides the payment by weight, there is also an irreducible minimum, and all I have to say on this matter is, that when you propose to deal with a Company prepared to carry mails at a minimum charge, and to add anything additional in the shape of payment by weight, you will be making that sort of bargain which is understood by the formula "Heads you win; tails I lose." I do not think that this House would act wisely in following the hon. Member in his sanguine anticipations as to the result of a system of payment by weight.

MR. PROVAND: I beg the right hon. Gentleman's pardon; but I did not suggest payment by weight. What I said was that, if the Eastern Mail Service were paid by weight, in the same way as the Atlantic Mail Service, the force of my argument would not be much less. I did not say that any Company should be asked to carry these mails by weight.

MR. RAIKES: Of course, I accept the correction offered by the hon. Member, but my recollection of what he stated certainly is, that the gist of the hon. Member's argument was that by making the proposed arrangement for 10 years, we should be excluded from the possibility of making any arrangement for payment by weight, and I think that if the hon. Member will refer to-morrow to the report of his remarks in the morning papers, he will find a confirmation of what I have said. Then the hon. Member went on to say that this would also shut us out from making arrangements as to Shanghai, and he told us of the eight lines of steamers which go to China, some of which belong to foreign Companies, from which we should be excluded. I think if the hon. Member only took the pains to study the course of public opinion, he would find that a contract with the North German Line or the Messageries Maritimes would have a very slight chance of being adopted by the House of Commons.

MR. PROVAND: I must again ask the right hon. Gentleman to pardon me for interrupting him. I made no such suggestion. They will carry our letters now, and we do not pay them a farthing of subsidy; nor did I suggest that we should pay the North German Lloyd's or any other Company a subsidy for taking our mails. If Her Majesty's Government think it proper to offer a subsidy to the Canadian line that is a matter for them to consider; but I had no idea of conveying to the House the suggestion that we should pay a subsidy to any foreign line whatever.

MR. RAIKES: Then, Sir, I think I have succeeded in entirely destroying the force of the best part of the hon. Member's argument; and why he should have brought in those eight Companies of which he has spoken, if what I have stated was not the argument he wished to sustain, I am utterly at a loss to understand. The hon. Member, after leading up to the eight lines of steamers, among which is the line we hope to see established between Vancouver and Shanghai, and which, I think, the House will have gathered from the observations of my right hon. Friend behind me (the Chancellor of the Exchequer) Her Majesty's Government are desirous of forwarding, if possible, refuses to accept my interpretation of the argument to be deduced from those eight

lines of steamers, one of which I should state has not yet come into existence, and most of which belong to foreign Companies; consequently, I think we may altogether except the argument he addressed to us upon the point as having no bearing upon the question. But it will be clear to the House, that the whole body of this part of the hon. Member's speech had reference to China, and to China only, and I think we are led to gather from his observations that he is himself engaged in the China trade, as he looked at the matter entirely from that point of view. Now, I assert that there could be no greater delusion than to suppose that we are going to pay £265,000 a-year merely for the purpose of conveying mails to China. We are proposing to pay a very large portion of this sum for the purpose of conveying mails to India, and only the balance of that sum is to be paid for the conveyance of mails to China; therefore, when the House is asked to compare the proposal to pay £265,000 a-year to the Peninsular and Oriental Company, with the proposal to pay the sum of £100,000 a-year to the Canadian and Pacific Company, I say that such a comparison can do nothing but mislead, because the part that should be allocated to the conveyance of the mails to China is really not in any considerable degree in excess of the £100,000 a-year that is proposed to be paid to the Canadian Pacific Company. Then we are told that other Companies have been dealt with in a different way from that in which we propose to deal with the Peninsular and Oriental Company. Now, when it came to be my duty to consider the tenders that had been submitted to Her Majesty's Government, I had practically no opportunity of dealing with any other Company at all, for with the exception of the Peninsular and Oriental Company and the Canadian Pacific Company, there was no other serious competitor in the field; and as to all those numerous Companies which are supposed to be so eager to convey our mails to India and China, they were not there. I had six tenders from the Peninsular and Oriental Company, and nearly as great a number of tenders from Mr. Holt, and there was, as I have stated, really no other serious competitor in the field. It has, I think, been abundantly shown that the Canadian Pacific Company is not now to be regarded as a competing Company; but if, at any future time, that Company should be enabled to come to any arrangement with Her Majesty's Government and that of Canada as to the establishment of the proposed Pacific Line, it would be merely as a supplementary line, and not in any sense as a competing line. If we can arrange to establish a better service than the country has hitherto enjoyed, at a cost of £95,000 a-year less than in times past, we are not warranted in expecting that the first criticism to be passed on to that arrangement is to be that the subsidy we propose to give is too high. From what experience of business I have had, I may say that when we have succeeded in substituting for the former 17 days' service a service of 16 days, and have got this for £95,000 a-year less than we had to pay for the 17 days' service, I think we are entitled to assert that we have done a good stroke of business, on which the country ought to congratulate us. I do not shrink from taking up that position. Twenty years ago this country was paying for its Mail Service to India and China no less a sum than £450,000 a-year, and we have now succeeded in making an arrangement for obtaining the same service for £265,000 a-year, or not much more than half the amount we were then paying; and I challenge any fair-minded body of men to say whether we have not thereby saved a very considerable sum of money to the country. In the course of the 10 years during which this contract, if it be adopted, will have to run, we shall have saved something more than £1,000,000 upon what was formerly paid for a service not so good; and, this being so, I think it requires some courage for any hon. Member of this House to stand up in his place and attack this arrangement on the ground of economy. The hon. Member (Mr. Provand) has quoted figures with regard to the rates for mileage. He said we were paying 6*s*. 1*d*. per mile 20 years ago, and that we are now paying 6*s*. 2½*d*. if we take the mileage one way, and 7*s*. 3*d*. if we take the mileage another way. It must be apparent to those who realize the fact, that if we are now paying £200,000 a-year less than we had to pay 20 years ago, it is a very strange circumstance if we now find we are paying a higher

mileage rate than that which we were paying at the former period. There is a common delusion in regard to this subject; and many people seem to run away with the idea that it is sufficient to reckon the mileage in the present contract merely from Brindisi, without considering the fact that the steamers which carry the mails have to travel all the way from England. They ought to consider that as far as the steamers are concerned the mileage is to be reckoned from their port of departure in this country before a true and accurate statement can be arrived at as to what the mileage really is. Besides this, we have the whole of the advantages of all the services which this great Company is able to command, and I know that I am speaking within the fact when I say that if you take a fair estimate of the mileage altogether it will be found that instead of paying 5*s.* 1*d.* or 7*s.* 3*d.* per mile we are in reality paying under 4*s.* as the mileage rate for our Mails to India and China. Well, then, the hon. Member (Mr. Provand) went on to say it is a remarkable fact that no Committee of this House has sat on any of these contracts since the year 1873; but the hon. Member himself supplied the reason for this in the sentence immediately preceding when he reminded the House that it was only about 1867 that these contracts became necessarily submitted to the judgment of the House. As soon as the House had an opportunity of pronouncing a judgment on these contracts it was satisfied with the survey it was enabled to take on occasions like this. A good deal has been heard about the injuries which the Peninsular and Oriental Company inflict on certain British traders. That, however, is a subject into which I must respectfully decline to enter, because it has nothing to do with the question before the House. With the trading arrangements of the Company with whom we may enter into a contract this House has nothing to do. The hon. Member (Mr. Provand) will be aware that a Paper has been circulated among hon. Members of this House, wherein the Company to which the hon. Member refers met with the most indignant denial the statements he has brought before the House. I therefore think I may pass from that part of the subject, with the mere reference just made asking the House to remember that we have no concern with preferential rates and the internal arrangements of the Company; we have to get an effective service performed economically. The hon. Member went on to speak of the accounts of the Company, but it is sufficiently evident that other persons engaged in trade with the East have had the opportunity of studying the balance-sheet of the Peninsular and Oriental Company, and have come to the conclusion, that even the Contract that has recently been in operation has not been so favourable to the Company that they were disposed to come forward and tender for the lower contract of £265,000. The hon. Member said something about the "Glen" line to China. If the "Glen" line has vessels so much faster, and if the Company is prepared to do the service so much cheaper, it seems a great pity that the owners did not come forward to make a tender with the Peninsular and Oriental Company and Mr. Holt; there was the same opportunity open, but the "Glen" line did not think it desirable to put themselves *en evidence*. The hon. Member thinks it is because shipowners are so extremely sensitive that they are unwilling to expose themselves to the rebuff of not having their tender accepted, and he therefore wants a Committee to go out into the highways and byeways and get persons to make tenders they would not make in the regular manner! Now, I have only to sum up the matter by putting the case into three sentences. We had to deal with this question as a matter of business. Tenders were invited two years ago by our Government, and these were considered by their successors. A very great deal of correspondence passed between the late Government and the late Postmaster-General. Lord Wolverton took an extremely close personal interest in the subject, he ransacked every paper and considered it from every point of view, and as the result he made a definite recommendation to the Treasury presided over by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) distinctly recommending the very arrangement which has been sanctioned by the present Government. The arrangement was not carried out then, because the late Government fell before the arrangement could be given effect to, and I had the opportunity of

approaching the question with a fresh mind. The subject has been considered by both Cabinets, it has been considered by three Chancellors of the Exchequer, it has received careful attention from three Postmasters General, and the result we all arrived at is that the arrangement we now recommend to the House is the fastest, cheapest, and, what is more important, the only practical service that can be arranged at the present moment. We cannot wait until the hon. Member's Russian friends have completed their Asiatic railway arrangements, or until we can realize the ship of the future. We have to face the fact that here is an important Mail Service to be carried out in the most efficient and economical manner, and I confidently ask the House to sanction the arrangement we have made.

MR. C. H. WILSON (Hull, West): I think the House ought to be very much indebted to the hon. Member for the Blackfriars Division of Glasgow (Mr. Provand) for the business-like manner in which he has put this matter before the House. The right hon. Gentleman the Postmaster General (Mr. Raikes) said it was purely a matter of business the Government had to consider, well some of us on this side and many in the country, especially those connected with great mercantile transactions, very much doubt whether those connected with the Cabinet are able to deal with this matter in a business-like manner. We do not think they have experience to guide them with affairs of this sort. So far as I understood the speech of the hon. Member for Glasgow, he did not do or say that which has been imputed to him by the right hon. Gentleman the Postmaster General; but he has proposed that this subject of vital importance to the country should be brought before a Select Committee of the House of Commons, and should not be dealt with at 2 o'clock in the morning by a limited number of Members of the House, some of whom are bound by Party ties—perhaps a large number of them—I may say, to follow the orders they receive from the Treasury Bench; because, although we have been told this is not a Party question, in what manner has it been dealt with by the right hon. Gentleman the Postmaster General? Instead of the thanks to which I think the hon. Member for Glasgow is entitled for the care he has bestowed on the subject he has brought before the House, the hon. Member was anything but complimented by the right hon. Gentleman the Postmaster General, who left out what I recognize is really the point of the case, is it a reasonable thing, with the enormous progress made in steam navigation in the last few years, that we should make a mail contract for such an unusually long period as 10 years? If I understand the matter rightly, the tenders called for were not for 10 years, but for the shorter period of seven years, and if they had been, neither the right hon. Gentleman the Postmaster General or any other Member of the Cabinet knows what offers would have been received from traders to the East for the carrying of mails. I, perhaps, have had as great or a greater experience in connection with steam navigation than any other Member of the House, though, fortunately for myself, I have never had the slightest intention of interfering with the transmission of mails by the Suez Canal or any other route in competition with the Peninsular and Oriental Company; but I do know that improvements in navigation and increased economy in the working of steamships are so great and so likely to continue in the future, that it is not reasonable to enter into a contract of this importance for so long a period as 10 years. The right hon. Gentleman the Postmaster General says there was no competition. And why was that? If you give one Company hundreds of thousands a-year to carry the mails, the result naturally is that they are enabled to monopolize the mail carrying, they build very large steamers, and they have altered entirely their mode of carrying on business since the construction of the Suez Canal. They compete also for goods and passengers, and by the large subsidies they receive they have attained such a position that it is impossible for any private Company to attempt to compete with them in the carrying of mails, and, I might almost say, of passengers and cargoes. That accounts for there having been no competition. It is a very doubtful policy. I question whether it is quite wise on the part of the Government to give one Company a monopoly in such an important trade to the East that it is able to

knock out all competition and prevent that improvement in the development of other Companies which would give the Government a great many other facilities for the carrying of mails to the East. I would almost go so far as to say that if you gave no subsidy at all you could get your mails carried as well as they are carried at present. The only effect is that this Company is able to carry passengers and goods cheaper than other Companies, and what is saved in one way is paid in another. But as to the Amendment of the hon. Member for Glasgow, I have no doubt he would be satisfied if the contract is made for a limited period, and that he would withdraw his Amendment if the contract were limited to a period of five years, and I certainly think this would be much more satisfactory to the country. We do not know what changes there may be in the carrying of correspondence by sea. For aught we know, the developments of science may be such that the use of the telegraph may be so cheapened and extended that posssibly in less than 10 years we shall hardly think of writing a line on matters of business importance, and in all affairs of urgency will communicate by telegraph, so that the carrying of mails will be of much less importance than now. There is no doubt, too, that if the Russian railway system communicates with our Indian system there will be the natural method of carrying mails, and my own opinion is that we ought to be only too glad to avail ourselves of such an opportunity, instead of treating a matter of such international importance so slightingly as we have just heard from the Treasury Bench, and it would do much to do away with those foolish scares that now and again cause us to throw away millions of money. If we now, after this limited discussion, go to a Division, we know the result. If we wanted anything to prove the necessity of being able to give more time in this House to our own home affairs here is a very clear instance before us. We have been spending a long time upon coercion for Ireland, and now when we have an important matter of home affairs that requires considerable attention, and after the whole subject has been so well displayed in the speech of the hon. Member for Glasgow, it is melancholy to see in this small House a Division probable at this late hour—2.30 a.m.—after such a brief discussion. I am afraid that, as usual, any argument from this side will have very little effect; but speaking from a long experience in shipping matters, I think it would be a reasonable method of dealing with this matter to limit the contract to a period of five years.

ADMIRAL SIR EDMUND COMMERELL (Southampton): I do think it is a somewhat late hour to carry on this discussion. I hope that when the time comes to consider the question of a subsidy for the Canadian Pacific we shall not be told that no subsidy can be granted because so much has already been given to the Peninsular and Oriental Company. From an Imperial point of view there can be no question that the Canadian Pacific line is of great value. We are given to understand that the proprietors propose to put on a powerful line of steamers from a port in the United Kingdom to a port in Nova Scotia, and I believe that port will be Halifax, and no better port exists for the purpose. It has better facilities than New York, it being connected with the railway to Montreal by a journey of 15 hours. In October, 1885, stores were sent to Halifax, landed, and transported overland to Vancouver, and delivered in a very short space of time. I have no hesitation in saying that in case of war, and with the Suez Canal stopped, as no doubt it would be—I have no hesitation in saying that not only to Yokohama and China, but also to Australia, we shall be able to send supplies much quicker than by the Cape route. I know the Cape line, and I know how difficult it would be to defend, and the difficulties in keeping up a coal supply for our transports. I do hope that when the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) comes to consider the Canadian Pacific route he will recognize not only its advantage to us, but that it is a means towards the consolidation of the Empire—a connecting link between us and North America. I do hope that this great highway will not fall into the hands of any foreign Power, which assuredly it will do for it will go to the German Lloyds if a subsidy is not granted.

MR. ESSLEMONT (Aberdeen, E.): I must enter my protest against a question of this importance being pushed to a Division at this unreasonable hour.

I have been requested by my constituents through the Aberdeen Chamber of Commerce, to oppose this contract, and they do not oppose it so much on the ground that the subsidy is too large; but those whom I represent have a very strong opinion that the speed at which mails are to be carried under this contract is distinctly behind the time; and it is conversant with my knowledge that mails by the French route have been delivered in the North three days earlier than by the Peninsular and Oriental route. Besides, we must attach great importance to what has been well said by the hon. Member behind me as regards the great changes likely to take place in our communications with foreign countries during the next 10 years. If this contract were to be limited to five years, there would be some prospect of it meeting with something like unanimity in the House; but I think too strong a protest cannot be made against entering into such a contract for so long a period as 10 years. None of us can forecast the changes that within such a period are certain to take place in steam and telegraphic communication. It is in the air that a patent is in contemplation that will reduce the cost of steaming to about a third of the present cost. Are we, in the face of these changes, to enter into a contract tying our hands for 10 years, so that we shall not be enabled to take advantage of the improvements introduced? To emphasize our protest against spending what practically amounts to between £2,000,000 and £3,000,000 at 3 o'clock in the morning, preventing the discussion being made known to the country, and as a protest against the reply we have had, I beg to move the adjournment of the debate. Why, if his case is so strong as the right hon. Gentleman the Postmaster General says it is, why is he afraid to submit the matter to a Committee of this House as unquestionably the best arrangement that could be made? From that inquiry the hon. Member for the Blackfriars Division of Glasgow (Mr. Provand) will come back perfectly content, whether or not the result is a justification of the Government; but it will lead to a great deal of suspicion if the Government press it through between 2 o'clock and 3 o'clock in the morning against the fair and reasonable proposal of the hon. Member that a Select Committee should send for papers and persons, and see whether all that has been said in favour of the arrangement is justified. The right hon. Gentleman the Postmaster General—with whom I often find myself able to agree—is not equal to himself on the present occasion. He has made a comparison of the cost of carrying mails now and 20 years ago, and if we have made such improvements in 20 years, surely we may reasonably expect other improvements before the lapse of another 10 years. I beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Esslemont.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand-Westminster): I would earnestly appeal to the hon. Gentleman the Member for East Aberdeen (Mr. Esslemont) not to put us to the time and trouble of a Division. We have been discussing this important subject for two hours, and to adjourn it now would be practically to lose the time we have thus spent. The House is, I believe, after the speeches of the hon. Member for Glasgow (Mr. Provand) and of my right hon. Friend the Postmaster General (Mr. Raikes), in a position to form a judgment upon the facts and arguments of the question with a very little more time. Hon. Members are well aware that the state of Business is such as to preclude us from bringing the subject forward again at an earlier hour. I hope the hon. Member will withdraw his Motion and allow us to come to a decision.

MR. HENRY H. FOWLER (Wolverhampton, E.): I am not able to follow the reasoning of the right hon. Gentleman. He says it is impossible for the House to have a better opportunity for the debate than we have had this evening. But what we want to do is to arrive at a right conclusion on the matter which both sides will agree should be acceptable to the country, that we should be informed by and inform public opinion. [*Cries of* "Oh!"] That is a very intelligent "Oh!" but, remember, this concerns the expenditure of £265,000 a-year. I understand that Chambers of Commerce throughout the country are protesting against this contract, and I think that it is a question on which Chambers of Commerce ought

to have an opportunity of expressing an opinion. If the Government say the contract shall last not longer than five years, I am inclined to say it is an offer the House might accept, but I do not think it is reasonable to bind up the postal communication between this country and China and India for 10 years after two hours' debate after midnight. The matter has never been considered until this evening, and the most valuable speech of the hon. Member for the Blackfriars Division of Glasgow (Mr. Provand) deserves the gravest consideration, and this, I think, had better be postponed to some other evening. I quite recognize that what the right hon. Gentleman the First Lord of the Treasury says might, under some circumstances, have force, but this contract is not pressing—it will not come into force until February next year. I trust the Government will consent to an adjournment.

MR. HENNIKER HEATON (Canterbury): I beg to support the proposition for adjournment. Two months ago I asked the right hon. Gentleman to bring on this matter at an early hour, and the Government, from various reasons, have been prevented from doing so, representations have been coming in from Chambers of Commerce in England and Scotland who have given consideration to this question. I trust the Government will give way, for I do not think the debate can be finished at a reasonable hour this morning.

MR. DE LISLE (Leicestershire, Mid): I hope the Government may see their way to limit the contract to five years, and I think the country would rather see the same subsidy granted for a five years' contract than be bound by a contract for 10 years, in view of the critical state of affairs that may arise in the meantime. I would venture to propose that——

MR. O'KELLY (Roscommon, N.): I rise to Order. Is not the Question the adjournment of the debate?

MR. SPEAKER: I have already informed the House of that fact.

MR. DE LISLE: I was only endeavouring to give sufficient reason for voting for that Motion.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I am unable, by the rules of debate, to answer the question as to five years on this Motion; but I trust the hon. Member for East Aberbeen (Mr. Esslemont) will see his way to withdrawing his Motion for Adjournment, and allow the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) to carry out his intention of addressing the House on this matter. He would answer some of the points that have been raised. I should scarcely be in Order in saying why it is not possible to refer the matter to a Select Committee; but I trust we may be allowed to proceed with the debate in a business-like manner.

MR. SHAW LEFEVRE (Bradford, Central): If the hon. Gentleman the Secretary to the Treasury is prepared on the part of the Government to make any concession as to the time the contract shall run, possibly the hon. Member for East Aberdeen (Mr. Esslemont) will give way on the question of adjournment, and discuss the matter no further. If he is not prepared to do that then I will venture to add my appeal to those made in favour of an adjournment. I was not in the Post Office when this matter was under consideration, but I do not speak without knowledge of these special contracts, and while I am bound to admit there is a great deal of force in what has been said by the right hon. Gentleman the Postmaster General (Mr. Raikes), yet the Government cannot be aware of the strong feeling elicited on the subject of the length of this contract, and, I think, if further time were given for consideration, by the time this matter again comes before us the Government might arrange with the Peninsular and Oriental Company to make another proposal that would be more acceptable to the House.

DR. TANNER (Cork, Co., Mid): The right hon. Gentleman the Chancellor of the Exchequer spoke of a business-like debate, but I hardly think we can realize that when so large a portion of hon. Members opposite are in the arms of Morpheus. I really think if this is a serious debate, and one that is regarded with interest by the country as one that is likely to be productive of some benefit to the Public Service, it surely ought to be adjourned and resumed again at a more reasonable time. We know that after 12 o'clock, unless the subject on the *tapis* is of unusual importance, the

Press give no proper report of our proceedings. I have heard a series of arguments addressed to the occupants of the Treasury Bench, who were in a more or less somnolestic mood, and I sincerely hope this contract will not be entered into for a lengthened period after all these arguments have been delivered, and which will not be reported. To do so will be to do a thing which will be reprobated by the country, and I hope the Motion for Adjournment, if not accepted now, will be persisted in again and again.

MR. CALDWELL (Glasgow, St. Rollox): In support of the Motion for Adjournment, I may mention that I have received information that the Glasgow Chamber of Commerce have wired to the right hon. Gentleman the Chancellor of the Exchequer their opinion in favour of the course suggested by my hon. Friend, and it is evident that the commercial world is now alive to the importance of the subject, and I would join in the protest against the matter being hurried through.

MR. W. H. SMITH: It is evident there will be a long discussion, and in view of the lateness of the hour I will agree to the adjournment.

Question put, and *agreed to.*

Debate *adjourned* till *Thursday* next.

House adjourned at twenty minutes before Three o'clock.

HOUSE OF LORDS,

Friday, 24th June, 1887.

MINUTES.]—PUBLIC BILL—*Report*—Metropolis Management (Battersea and Westminster) * (101).

PROVISIONAL ORDER BILLS—*First Reading*—Tramways (No. 2) * (133).

Committee—Report—Local Government (Poor Law) (No. 3) * (118); Local Government (Gas) * (119); Local Government (No. 2) * (120).

Third Reading—Elementary Education (Christchurch) * (92); Elementary Education (London) * (94), and *passed.*

Their Lordships met;—and having gone through the Business on the Paper without debate,

House adjourned at a quarter before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 24th June, 1887.

The House met at Two of the clock.

MINUTES.]—PUBLIC BILLS—*Committee*—Coal Mines, &c. Regulation [130] [*Third Night*]—R.P.

Committee—*Report*—Christchurch (Southampton) Charter (Correction of Error) [209].

PROVISIONAL ORDER BILLS—*Third Reading*—Metropolis (Cable Street, Shadwell) * [277]; Metropolis (Shelton Street, St. Giles's) * [278]; Oyster and Mussel Fisheries * [279]; Pier and Harbour (No. 2) * [276], and *passed.*

POSTPONEMENT OF MOTION.

—o—

EDUCATION DEPARTMENT—TECHNICAL EDUCATION.

MR. HOWELL (Bethnal Green, N.E.) said, that a Motion was standing in his name for the Evening Sitting with reference to technical education. That Motion had been on the Paper for a considerable time; but last night he was agreeably surprised by the announcement made by the Government that they intended to bring in a Bill on an early day to deal with the subject. Under these circumstances, he thought he would best consult the interest and convenience of the House by postponing his Motion.

QUESTIONS.

—o—

THE MAGISTRACY (IRELAND)—MR. HUNT CHAMBRE, J.P.

MR. BLANE (Armagh, S.) had the following Question on the Paper, but did not ask it:—To ask the Chief Secretary to the Lord Lieutenant of Ireland, If Mr. Hunt Chambre, J.P., agent to Lord Ranfurly, in County Tyrone, made a composition of 5*s.* in the £ with his creditors; and, if so, whether the Government will call the attention of the Lord Chancellor to the matter?

MR. MACARTNEY (Antrim, S.) wished to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question of which he had given him private Notice—namely, Whether Mr. Hunt Chambre, J.P., agent to Lord Ranfurly, County Tyrone, has made an arrangement with his creditors; whether the attention of

the Lord Chancellor was called to the matter 10 years ago; and whether, in the opinion of the Government, it was necessary to call the attention of the Lord Chancellor to it?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The matter referred to by my hon. Friend, and which stands on the Paper in the name of the hon. Member for South Armagh, was the subject of two similar Questions so far back as 10 years ago—the first on the 22nd of March and the second on the 26th of April, 1877. The then Chief Secretary replied as follows:—

"From information which has been furnished to the Lord Chancellor of Ireland by the Chief Registrar of the Court of Bankruptcy, it appears that Mr. Chambre has not been adjudged bankrupt, nor made any arrangement or composition with his creditors under the Irish Bankrupt and Insolvent Act of 1857, or the Bankruptcy (Ireland) Amendment Act, 1872. His case did not, therefore, come within the section of the Act of 1872 affecting magistrates."

I have made inquiry, and find that since that time no proceedings in bankruptcy, or for arrangement with his creditors, have been instituted in the Court of Bankruptcy either by or against Mr. Chambre; and, consequently, no arrangement or composition with his creditors through the Court has taken place, and there is no reason for calling the Lord Chancellor's attention to the matter.

VACCINATION (COMPULSORY) — RESULT OF A HOUSE TO HOUSE INQUIRY IN 65 CITIES AND TOWNS OF ENGLAND.

MR. BRADLAUGH (Northampton) asked the President of the Local Government Board, Whether he is aware that a house to house inquiry in 65 towns, &c., of England, including Leicester, Oldham, Gloucester, Bath, Dukinfield, Lincoln, Scarborough, Hull, South Leeds, and three Metropolitan Districts, has shown that a large majority of the canvassed householders are opposed to compulsory vaccination, and have no belief in it as a preventive; whether he is aware that the answers of those canvassed report 428 cases of death, and 1,996 cases of injury, as due to vaccination; whether the Registrar General's Returns between 1881-5, disclose 290 deaths as due to vaccination; and, whether he will advise a thorough public inquiry into the subject?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I am aware that in several towns, parts of towns, and villages, Associations for the abolition of compulsory vaccination have issued forms in which questions have been submitted with reference to vaccination; but I have no precise information as to the mode in which the inquiry was conducted, or in how many cases the persons applied to declined to fill up the forms distributed by those Associations. No doubt the Returns which have been made by the Associations referred to represent that a considerable majority of those who have thought fit to fill up the forms have stated that they were opposed to vaccination. As regards the statement that 428 cases of deaths and 1,996 cases of injury due to vaccination were reported, I may say that I have seen one of the forms issued; and the question put was—"Have you met with cases of injury or death caused by vaccination?" I do not attribute any particular value to the answers thus returned. With regard to the Return of the Registrar General, I find that in England and Wales during the five years 1881-5, the deaths of 283 persons, 271 of whom were under one year of age, were ascribed to cow-pox and other effects of vaccination. I am informed by the Registrar General that almost invariably in these cases some secondary cause is mentioned as well as the fact of vaccination, and that by far the most common secondary cause thus assigned is erysipelas. As I understand, there is no reason to doubt that in most, if not all, of these cases erysipelas would have been as likely to follow an ordinary scratch or other similar abrasion of the skin. The total number of successful vaccinations of children whose births were registered in the five years to which the Question refers was 3,800,000. No one is more desirous than myself that the vaccination should be performed with due care; and I may mention that revised instructions to vaccinators have been recently issued, with a view to securing every requisite precaution in vaccination. For reasons which I have more than once stated in the House it is not my intention to propose a public inquiry.

LAW AND JUSTICE (ENGLAND AND WALES) — COURT-HOUSES — ACCOMMODATION FOR PRISONERS AWAITING TRIAL.

SIR WALTER FOSTER (Derby, Ilkeston) asked the Secretary of State for the Home Department, Whether he is now in a position to announce to the House the steps which have been taken by the responsible Local Authorities to remedy the deficiencies in Court House lock-ups, described in the Reports of the Home Office Committee?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, he had nothing to add to the answer which he gave last night to a similar Question.

ARMY (INDIA) — OFFICERS' ALLOWANCES AND PENSIONS—RELATIVE RATE OF PAYMENT IN INDIA AND IN ENGLAND.

MR. KING (Hull, Central) asked the Under Secretary of State for India, Whether, under existing regulations, the amount of Colonel's allowances for an Officer of the Indian Army, if he is residing in England, or any part of the world out of India, is £1,124 17*s.* 5*d.* per annum, representing, at the rate of exchange of 1*s.* 4⅓*d.* to the rupee, the sum of Rs.16,349 10.2; and, whether the aforesaid sum in sterling, can, under the circumstances mentioned, be drawn by the Officer's agents in London without deduction; but, if the Officer should elect to reside in India, whether the Government, by its regulations, refuses to allow him to draw his allowances through an English agent, and obliges him to draw them in India, where he is settled with at the compulsory rate of 2*s.* to the rupee, thus realizing only Rs.11,019, or at 1*s.* 4½*d.*, an income of £757 11*s.* 1½*d.*; whether the same Officer, by retiring on pension, can secure £1,000 a-year (representing Rs.14,545), and, though resident in India, draw it through his agent in England, thus gaining Rs.3,526 per annum over the sum he would draw, under the same circumstances, while nominally in receipt of Colonel's allowances of £1,124 17*s.* 5*d.* per annum; and, whether the Secretary of State will order regulations leading to such results to be cancelled?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): It is the established principle that not only colonels, but all officers on the effective list, if they reside in India, must draw their allowances in the currency of that country. If they reside elsewhere, or if they have ceased to be effective, they may draw their allowances in England at the sterling rates, fixed for the purpose. Any departure from this system would involve great financial inconvenience, and it is not the intention of the Secretary of State to alter the Regulations on the subject.

INDIA (NORTH WEST PROVINCES)—APPOINTMENT TO DIRECTORSHIP OF PUBLIC INSTRUCTION—SUPERSESSION OF SENIOR EDUCATIONAL OFFICERS BY MR. WHITE.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, With reference to his statement on 29th April, that the Government of the North Western Provinces had (contrary to the admitted rule) superseded all the educational officers of those Provinces, and appointed a junior civilian (Mr. White) to the Directorship of Public Instruction, in the exercise of their discretion to depart from the general rule when the interests of the public service require it; and, whether Her Majesty's Government will take any steps to ascertain in further detail why the interests of the public demand that the claims of a whole Department, based on despatches of the Secretary of State, should be set aside in this case?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State has already received sufficient explanations of the reasons for the appointment of Mr. White, and has no intention of moving further in the matter. Mr. White is not a junior civilian, but has been nearly 20 years in the Covenanted Civil Service.

LAW AND JUSTICE (IRELAND)—THE COUNTY COURT JUDGE OF MONAGHAN (MR. BARRON).

MR. P. O'BRIEN (Monaghan, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the following paragraph, which appeared in *The*

Northern Standard of the 18th instant, and which purports to be the order of Mr. Barron, the County Court Judge of Monaghan :—

"As the celebration of the Jubilee of our Most Gracious Majesty the Queen will take place on Tuesday next, the Court will not sit on that day to hear any business but ejectments, and will adjourn at 12 noon ;"

and, whether such order was made with the knowledge and consent of the Government, or by whose authority this order was made? The hon. Gentleman said, he wished to supplement the Question by asking whether those responsible for the order had received any authoritative information that Her Majesty would feel complimented by having ejectments preliminary to evictions facilitated by the exclusion of all other legal business on Jubilee Day?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the hon. Member only gave Notice of the Question on the 22nd instant, and it only appeared on the Paper yesterday, so that he had been unable to obtain the necessary information.

MR. P. O'BRIEN gave Notice that he would repeat the Question.

POOR LAW (ENGLAND AND WALES)—ALLEGED INSANITARY CONDITION OF HOLYHEAD UNION—THE INQUIRY BY DR. HARVEY.

MR. LEWIS (Anglesey) asked the President of the Local Government Board, Whether he is aware that, about eight months ago, his Department sent down to the Holyhead Union Dr. Harvey to inspect and report on its sanitary condition; that, in consequence of this Report, his Department at first declined to confirm the appointments of Medical Officer of Health and Inspector of Nuisances, the former of which has since been confirmed; whether it is a fact that Dr. Harvey only spent a portion of five days in the Holyhead Union, visited fewer than 40 houses, and saw less than the 100th part of that Union, during the whole time he was in it; whether the Rural Sanitary Authority of the Holyhead Union has applied to the Department for a full copy of Dr. Harvey's Report; and, whether the Department will furnish the Rural Sanitary Authority with such copy?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): It is the case that Dr. Harvey, who was acting as a Medical Inspector of the Local Government Board, visited the Holyhead Union with a view of reporting on its sanitary condition and the prevalence in the district of enteric fever and diphtheria. The Board have not declined to sanction the appointment of the Medical Officer of Health; but they are clearly of opinion that he ought to devote more time to his duties than has hitherto been the case. The district is an extensive one, with a population estimated at between 11,000 and 12,000; and the Board are satisfied from Dr. Harvey's Report, and from the admissions of the Inspector of Nuisances, that the circumstances of the district are such as to require that the Inspector of Nuisances should devote his whole time to his duties if they are to be efficiently carried out, and the Board have urged the Sanitary Authority to appoint an officer who will comply with this requirement. Dr. Harvey is not now in the service of the Board; and since Notice of the Question was given I have been unable to communicate with him as to the precise time devoted to his inspection and the number of houses visited by him. He had held the office of Medical Officer of Health, and had had considerable experience in its duties. I have no reason whatever to doubt that he devoted as much time to the inquiry as was necessary to enable him to ascertain the facts required to be reported to the Board as to the sanitary condition of the district. The Sanitary Authority have applied to the Department for a copy of Dr. Harvey's Report, and the Board, on the 14th instant, furnished them with a full copy of so much of the Report as referred to the sanitary condition of the district; and they have also informed them of the general effect of the observations of the Inspector with regard to the officers.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—SCHOOL REQUISITES—ADDITIONS TO LIST.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Commissioners of National Education in Ireland have entered into any contract with printers or publishers for the supply of "the First Book of Lessons,"

"the Second Book of Lessons," and "the First Book of Arithmetic," on their list of school requisites; whether the late printer offers to supply these books of same quality at 10 per cent under the prices charged by the Board; whether the Commissioners are aware that representations to this effect have been made, and samples have been exhibited to the National School Teachers in Belfast; and, whether, if these books be supplied on the terms mentioned, the Commissioners will sanction their use in the schools under their control?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Commissioners of National Education report that on the 1st of April last they entered into a contract for five years with Messrs. Alexander Thom and Co. on most favourable terms for the printing of all the books published by the Commissioners, including those specified in the Question. Messrs. Thom and Co's. tender was the lowest of all those submitted. The Commissioners are not aware that the late printer who, previously to the 1st of April, held the contract for printing "the First and Second Book of Lessons," but not "the First Book of Arithmetic," has made the offer or the further representations to the effect alluded to in the Question. The Commissioners are unable to give an engagement in regard to a proposal which has not been submitted to them for consideration.

ADMIRALTY—RETURN OF SHIPS OF THE "ADMIRAL" CLASS.

MR. CAINE (Barrow-in-Furness) asked the First Lord of the Admiralty, If he will grant a Return giving the following information with regard to ships of the *Admiral* class, the *Victoria* and *Sanspareil*, the *Impérieuse* and *Warspite*, and the belted cruisers (*Narcissus* type)—namely, a copy of the first legend of each ship, and a synopsis of all changes made in construction and armament from time to time between commencement and completion; and, if he will lay upon the Table of the House the recent Admiralty Circular relative to shipbuilding?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): I have no objection whatever to give the Return so far as I can do so. I can give the desired information with regard to the *Impérieuse* and *Warspite*, both of which are practically complete. As regards vessels of the *Admiral* class, I can give the information with regard to the *Collingwood* and *Benbow*; but the others are not in a stage which will admit of complete information being given. For the belted cruisers (*Narcissus* type) the principal facts are stated at page 12 of the First Lord's Statement on Estimates for 1887-8. When the vessels are finished, which will be about 18 months' hence, a statement comparing the original designs and the completed ships will be prepared. The *Victoria* and *Sanspareil* have been modified in armour, armament, complement, and coal supply since the original design. The net result of the changes leaves the total weight practically as designed. As yet the ships are not sufficiently advanced to put any thorough check upon the designer's calculations.

ADMIRALTY—ARMOURED VESSELS OF RECENT CONSTRUCTION—A GOVERNMENT INQUIRY.

MR. SHAW LEFEVRE (Bradford, Central) asked the First Lord of the Admiralty, Whether, having regard to the objections raised by prominent persons to the designs of the armoured vessels constructed within the last five years, or in course of construction, and to the fact that all such vessels now being constructed will be completed within a comparatively short period, the Government will assent to the appointment of a Royal Commission, or a Departmental Committee, similar to that presided over by Lord Dufferin in 1872, to report upon the recent designs of armoured vessels, and to advise as to what types should be adopted in the future?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): I do not think that any public advantage would result from the appointment of either a Royal Commission or Departmental Committee at the present time. It is not as if several new iron-clads are about to be laid down, any great expenditure contemplated, or any increase in the programme of iron shipbuilding. The Board of Admiralty do not propose to add to the number of armoured ships at present being laid down. The vessels, concerning the designs of

which there have been controversy, are some of them complete, and will shortly be commissioned. The practical experience thus obtained as to the efficiency of these vessels will be more valuable than the theoretical opinions of any Committee, however eminent.

MR. CHILDERS (Edinburgh, S.) asked, whether he understood the noble Lord to shut out the appointment of a Committee; or whether he merely thought it at this moment undesirable?

LORD GEORGE HAMILTON said, his answer referred to the present. Of course, circumstances might change; but, as at present advised, he considered that theoretical opinions were not so valuable as would be the practical experience to be gained when the ships were placed in commission.

MR. SHAW LEFEVRE asked, whether the noble Lord would undertake not to lay before Parliament any Estimates for fresh vessels of this kind without giving an opportunity for discussion?

LORD GEORGE HAMILTON: Certainly not. The Estimates will be laid before Parliament in the ordinary course, and on the responsibility of the Minister.

MR. SHAW LEFEVRE, in consequence of the answer of the noble Lord, gave Notice that on the Vote for the Navy Estimates he would call attention to the subject of the expediency of such an inquiry as had been suggested into the types of vessels.

ARMY (AUXILIARY FORCES)—TENT ACCOMMODATION.

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.) asked the Secretary of State for War, For what reason, when Militia Regiments are out for training, the men are crowded 12 into each tent, in tents which, when used by the Line, are only occupied by eight men; and, whether he will issue orders to remedy this in the present training?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said: The Equipment Regulations apply equally to the Line and the Militia, and lay down that one circular tent in a standing camp shall accommodate 12 non-commissioned officers and men.

LAW AND POLICE (IRELAND)—ACTION OF —— CROSS AT GLASMIRE STATION OF THE GREAT SOUTHERN AND WESTERN RAILWAY.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that Mr. John Slattery, the President of the South of Ireland Cattle Trade Association, was, on the night of the 6th of March last, abused and threatened by a man named Cross, an *employé* of the Cork Defence Union, in the presence of a constable and two men of the Royal Irish Constabulary, in the cattle loading portion of the Glasmire Station of the Great Southern and Western Railway Company, for drawing the railway officials' attention to the cruel way in which Cross was overloading the cattle waggons, which the officials at once prevented; whether Mr. Slattery directed the constable's attention to Cross's language; whether the constable replied—"If you say one word more I'll arrest you;" whether he subsequently refused his name to Mr. Slattery; and, whether the Government will inquire into this alleged misconduct of the constable?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, the local constabulary officer reported that on the 8th of March last, not on the 6th, as stated in the Question, a sergeant and two constables were on duty in the cattle-yard of the Glasmire Station of the Great Southern and Western Railway Company. Mr. Slattery, who was present, remonstrated with the railway officials for overloading a cattle truck. No abusive or threatening language was used in the hearing of the police. Mr. Slattery made no complaint of the police, neither did he demand the name of the sergeant, nor was he threatened with arrest.

DR. TANNER asked if the right hon. and gallant Gentleman would give up the name of the sergeant of police who was present on the occasion, or did he refuse it, and want to shelter the sergeant?

COLONEL KING-HARMAN said, if the hon. Member put a Question on the Paper asking for the name of the sergeant and the two men who were on duty at the time he would be happy to give it.

DR. TANNER said, he would ask the Question on Monday.

INDIA—THE CIVIL SERVICE COVENANT—ALLEGED BREACHES.

MR. BUCHANAN (Edinburgh, W.) asked the Under Secretary of State for India, Whether he will lay upon the Table the Correspondence that has passed between the Secretary of State, the Government of India, and the Madras Government, on the subject of the alleged breaches of the Civil Service Covenant by Madras civilians?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): I have made inquiries, and am sorry to say I find there are no Papers on this subject which can, in the opinion of the Secretary of State, be laid on the Table of the House with any advantage.

MR. BUCHANAN gave Notice that, in consequence of the answer of the hon. and learned Gentleman, he would call attention to the subject on the Indian Budget.

VACCINATION — CENSUS FOR AND AGAINST THE COMPULSORY PROVISION—THE PARISH OF ROTHERHITHE.

MR. CHANNING (Northampton, E.) asked the President of the Local Government Board, Whether he is aware that a Census has recently been taken of the householders of the parish of Rotherhithe on the question of vaccination, and that this Census showed that, while 1,321 householders believe in vaccination, and 1,463 disbelieve in vaccination, no less than 2,117 householders are against compulsory vaccination, while only 691 support compulsion; whether he is aware that, of the householders canvassed, 93 report serious illnesses in their families through vaccination, and that 46 deaths are attributed to vaccination; and, whether, having regard to the constantly accumulating evidence of discontent, he will, in connection with the Local Government Bill, consider the advisability of some modification of the existing law, whether by introducing local option, or otherwise?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have seen a newspaper paragraph to the effect of the statement in the Question of the hon. Member; but I have no other information. It is not my intention, in connection with the Local Government Bill or otherwise, to propose any alteration of the existing law as to vaccination.

MR. CHANNING asked, whether the right hon. Gentleman was aware that in several large towns the law was practically set aside by a kind of local option?

MR. RITCHIE said, he was not aware of there being any such local option. He was aware that in some towns the provisions of the Acts were not carried out in the same entirety as in others. But that was no reason why they should alter the law as it exists.

WESTMINSTER ABBEY—THE CORONATION CHAIR OF EDWARD I.

MR. HOWORTH (Salford, S.) asked the First Commissioner of Works, Whether the Coronation Chair, which was originally made by order of Edward I., and which has since remained in its original state, except so far as time has injured it, was during the recent celebration in the Abbey covered with a brown stain which cannot be removed; whether this has not destroyed and irretrievably lost to us the original decoration of its surface, consisting of fine plaster covered with gold, and pricked out in pattern; if this be so, who is responsible for this act; and, if it be possible to place objects so precious beyond the reach of such disaster in future?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): There is no foundation for the alarm expressed in the Question of my hon. Friend. The old Coronation Chair has not been in any way stained or disfigured, and not the slightest injury has been done to the traces which remain of the ancient gilded work. The misapprehension may possibly have arisen from the circumstance that it was necessary to fit in temporarily some few pieces of tracery which were missing, and to stain them brown to match the colour of the old work; but the colour of the old work was not touched, and remains exactly as it was before the ceremony.

THE SELECT COMMITTEE ON HYDROPHOBIA, AND THE EXPERIMENTS OF M. PASTEUR—THE REPORT.

In reply to Sir HENRY ROSCOE (Manchester, S),

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's) said,

he had received the Report of the Committee appointed to inquire into the subject of hydrophobia and M. Pasteur's experiments, and he hoped to be in a position to lay it on the Table on Monday next. He trusted the House would permit him to say that he thought the country was greatly indebted to the distinguished men who formed the Committee for the great care and attention which they had bestowed upon the inquiry, and the very valuable Report which they had presented.

EGYPT—THE JUBILEE FESTIVAL IN CAIRO — ACTION OF THE FRENCH CONSUL.

DR. TANNER (Cork Co., Mid) said, he wished to ask the Under Secretary of State for Foreign Affairs a Question, of which he had given private Notice. It was, Whether at the recent Jubilee Festival in Cairo all the Consuls except the French Consul attended at the British Embassy to offer their congratulations, and that there were illuminations at all the Consulates except the French Consulate; and, whether this "mark of antipathy" was to be traced to the Anglo-Turkish Convention?

[No reply.]

DR. TANNER gave Notice that with regard to Egypt he would repeat the Question on Monday.

ORDERS OF THE DAY.

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COAL MINES, &c. REGULATION BILL.—[BILL 130.]

(*Mr. Secretary Matthews, Mr. Stuart-Wortley.*)

COMMITTEE. [*Progress 23rd June.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 14 (Appointment and removal of check-weigher on part of men).

MR. HUGH ELLIOT (Ayrshire, N.): Sir, in moving the Amendment that in page 8, line 36, of this Bill, the word "may" shall be left out and the word "shall" inserted, I must request hon. Members to glance a little further down the Amendment Paper. They will then see that I propose to make another Amendment, by adding, at the end of the first sub-section of the 14th clause, the following words:—

"Except in cases where the majority of persons employed in any mine resolve that they do not desire that a check weigher should be appointed."

The effect, therefore, of these two Amendments, taken as a whole, will be this—that whereas now the men "may" appoint a check-weigher if they choose, if my Amendments are accepted they will be compelled to appoint a check-weigher, unless the majority do not wish to have one. I think a good deal even may be said in favour of the compulsory appointment of check-weighers by the men; on the other hand, there are manifest objections to so considerable a change in the law, as, where mines are very small, it would be a hardship to oblige the men to maintain a check-weigher, and there may be cases in large mines where the men are satisfied with the condition of the weighing, and where, therefore, it is needless to put them to the expense of maintaining a check-weigher. I, therefore, have no intention of proposing to make the appointment of a check-weigher a compulsory one; but what I do want is, that the law should seem, as far as possible, to favour the appointment of check-weighers—that the presumption of the law, in fact, should be in their favour; that it should be made as easy as possible for the men to appoint check-weighers, and as difficult as possible for the masters to throw obstacles in the way of their appointment. It may be said that my Amendment will make no material change in the Bill before us; that the Bill, as regards the appointment of check-weighers, is permissive, and that these Amendments, if accepted, will leave it permissive. I, however, venture to demur to this criticism; for I think every candid-minded person will admit that it is much more difficult for a man to divest himself of a right which the law has conferred upon him, and obliged him to assume, than it is to divest himself of a right which the law has conferred upon him, but which it has not obliged him to assume, but only left him to assume, if he has power to do so. Now, Sir, I will try and explain the reasons which induce me to introduce an Amendment which many of the Representatives of large mining constituencies, where the Miners' Union is strong, may consider superfluous. Different localities require

different legislative treatment; and I will remind the Committee that this principle was generally admitted by the Home Secretary, when, last night, he promised to consider a proposal made by the late Home Secretary, which was intended to confer upon him powers that would practically have permitted him to shorten the hours of labour in one district, while he left them extended in another. Since I have represented a constituency which comprises a great many miners, I have done my best to inquire into their wants and grievances. I wish, for my part, that this Bill was more likely than I think it is to meet their wishes. Now, I have found no complaint more universal among the miners than that the weighing of the coal was inaccurate; and when I have asked the men why, under those circumstances, they did not appoint a check-weigher, they usually answered that the masters would not permit them to do so. Now, I have no desire to make any allegations against the employers. I hope and believe that they act perfectly fairly by their men; but what I wish to do is to represent the prevailing opinion of the miners in my constituency. Nor do I think it possible for any body to consider the suspicions of the men unnatural. So long as the men are paid by the weight of what they produce, and so long as those who weigh are the servants of the employers, so long is suspicion certain to attach to the weighing. Where there is no check-weigher, the masters, it appears to me, are placed in an entirely false position, and one which should render them inclined to accept my Amendments. Before sitting down, I should like to give an illustration of the difficulties which occur where there is no check-weigher. In one of the largest pits in the Irvine district there is no check-weigher. If the weight of a hutch is challenged on being weighed, the man who filled it is permitted to come to the surface and check the weight himself; but he is not allowed to go down into the pit again. Therefore, to verify the weight of his hutch, he may have to lose a great part of a day's work. It is needless to say that such a state of things produces much irritation. It causes suspicion, perhaps unjust suspicion, to be cast upon the honesty of the masters, and it constitutes a real grievance in respect to the men. It is in the hope of minimizing these evils as much as possible that I now move my Amendment.

Amendment proposed, in page 5, line 36, leave out "may," and insert "shall." —(*Mr. Hugh Elliot.*)

Question proposed, "That the word 'may' stand part of the Clause."

MR. TOMLINSON (Preston): I only wish to say a few words, generally, with regard to the inconvenience referred to by the hon. Member who has just sat down. We, who represent English constituencies containing workmen as well as the employers, know nothing whatever of them. Although in the Scotch collieries the owners may object to the appointment of check-weighers, in England and Wales, whenever such a desire is expressed no difficulty is ever raised. The subject underwent careful consideration at the conference which took place between the employers and the workmen, and certain Amendments were put down on the Paper which stands now in the names of the hon. Member for Morpeth (Mr. Burt) and myself. I believe that the employers are prepared to accept those Amendments, provided that the rest of the clause is allowed to remain. I understand that if they are adopted they will satisfy the real requirements of the men; and, therefore, I hope that the Committee will confine themselves to those Amendments, and not be prepared to discuss any others.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I sympathize strongly with the views of the hon. Member for North Ayrshire (Mr. Hugh Elliot). The clause was framed by me with an earnest desire to give the men an efficient check upon the weights, and I have already promised the Committee that I will accept any important change of the language of the clause which is calculated to effect that object. I think, however, that we should create a constant source of heart-burning and disagreement between the masters and the men if there is not to be thorough confidence in the mode of weighing which is carried out. As regards the particular form of this Amendment, the difficulty I feel is this. If the two Amendments of the hon. Member are put together, as I think they ought to be, the clause would run thus—

[*Third Night.*]

"The persons who are employed in a mine, and are paid according to the amount of mineral gotten by them, shall, at their own cost, station a person, in this Act referred to as a check-weigher, at the place appointed for the weighing of the mineral, in order to take an account of the weight thereof on behalf of the persons by whom he is so stationed, except in cases where the majority of persons employed in any mine resolve that they do not desire that a check-weigher should be appointed."

The effect of that would be to turn the clause from a form permissive to a form compulsory; but, at the same time, power would be given to the majority of the men not to carry it out. This, as a matter of fact, is the mere making of a most microscopic change; and then there is this further difficulty—are you going to inflict a penalty if the men do not appoint a check-weigher? If you do not appoint him, your compulsory words are idle, and will have no effect whatever. That difficulty appears to me to be a conclusive argument against the adoption of this Amendment. I quite feel that in a small mine, with a small number of workmen, the disfavour of the employer may prevent a check-weigher from being appointed; and I have endeavoured, in my own mind, to strike at some means by which that difficulty may be met; but I confess that I have been unable to find any means by which I can interfere with the control of the legitimate right of the owners, so as to affect the indirect pressure which may be brought to bear upon the men. Now, I feel that in any case in which the owners are dealing unjustly by the men public opinion may be strongly brought to bear upon them, especially in connection with the growing independence of the men themselves. They are acting now, I believe, in a manner which enables them to be less and less dependent upon the arbitrary will of their employers. Under these circumstances, I cannot see how the insertion of compulsory words in this clause, unsupported by the infliction of a penalty, can improve the provisions of the clause.

MR. CHILDERS (Edinburgh, S.): I would appeal to my hon. Friend not to press the Amendment. I can confirm entirely what the right hon. Gentleman the Secretary of State has said. Last year the same question came before me, and it appeared to the Government that it was impossible to make the clause compulsory without inserting a penalty for non-compliance with it; therefore I hope that my hon. Friend will withdraw the Amendment.

MR. HUGH ELLIOT: Under the circumstances, I shall, with the permission of the Committee, withdraw my Amendment.

Amendment, by leave, *withdrawn*.

MR. J. W. LOWTHER (Cumberland, Penrith): I have now to propose, at the end of the clause, to insert, after "stationed"—

"Provided that no person shall be so appointed who shall have been convicted of any offence under this Act, or who shall have been discharged from the said mine for any misconduct."

I believe the right hon. and learned Gentleman the Home Secretary will consider my Amendment an improvement on the drafting of the clause. It has been framed with the view of making the position of the check-weigher perfectly clear. No doubt the position of a check-weigher is one of great difficulty and delicacy, and men might be appointed who would be very obnoxious, either to the owners or to the managers employed in the colliery. I do not say that such cases frequently occur, but they may possibly occur; and the men, out of a feeling of spite, thinking that they had not been properly treated by the owners or manager, might go out of their way to appoint a man whom they knew to be obnoxious to the owners and managers of a mine. For instance, a discharged miner might be appointed to fulfil that position, and he might be able to render the proceedings at the pit's mouth very disagreeable. The object of my Amendment is to endeavour to remove that temptation, and there is this to be said on behalf of the Amendment—that it is extremely desirable, on the part of the men themselves, that there should be appointed as check-weigher at the pit's mouth a man in whom the managers and the owners have perfect confidence, and in whom they themselves have equal confidence—a man, for instance, who has not been convicted of any offence under the Act, or a man who has not been discharged for any previous misconduct. If it is thought by hon. Gentlemen opposite, or by the Government, that the words of my Amendment are too wide, I shall be perfectly prepared to alter them; but I

think something of this kind ought to be inserted in the clause, so as to secure the approval of the owners and the managers of the mine. In order that I may gather what the general feeling of the House is in regard to the matter I beg to move the Amendment as it stands on the Paper.

Amendment proposed,

In page 5, line 40, after "stationed," insert—"Provided that no person shall be so appointed who shall have been convicted of any offence under this Act, or who shall have been discharged from the said mine for any misconduct."—(*Mr. J. W. Lowther.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think the Amendment of my hon. Friend is one which we can hardly accept. We do not contemplate that the men would deliberately appoint as check-weigher a person who was simply distasteful to their employers, and although there are offences dealt with under this measure which are of a serious character, there are some which may be regarded as very trivial offences; and I think it would be unreasonable, because some man had committed a trivial offence under the Act, that, therefore, he should be disqualified for life to act as check-weigher. I think it would be better to wait until we get a little further on with the clause, when it will be the duty of the Committee to consider whether a check-weigher, who has once been relieved from duties in connection with a particular mine, ought to be allowed to be appointed to any office in connection with the same mine. I am not arguing that question now, but I am simply pointing it out, as a matter which is worthy of consideration—namely, whether a check-weigher, having been once removed for neglect of duty, should be allowed to be re-appointed by the men.

SIR JOSEPH PEASE (Durham, Barnard Castle): I do not recollect, in an experience which extends over a long series of years, any difficulty arising as to the appointment of check-weigher. In my district every facility has been given by the owners for the appointment of check-weighers, and, in doing so, the owners rely upon the good sense of the men, and their own *amour propre*, that they will not appoint a man who could only be regarded as a blackguard, but that they will appoint a man who properly understands his business, and who would do what he could to facilitate the working of the mine. I need not point out that it is to the interest of the men themselves that the mines should be worked readily and fairly; and I am afraid that the Amendment, if it were adopted, instead of facilitating matters, would only complicate any difficulty which might arise. All we have to secure is, that the men are perfectly satisfied that they get full value for their labour; and, therefore, it is of the first importance that all these questions should be treated fairly and openly, and that the men should have thorough confidence in the facilities which are provided for weighing the coals they hew without impeding the working of the pit. I may add that, at the present time, I look upon it as most important that no power should be placed in the hands of the owners, except those powers with which the men themselves are thoroughly acquainted.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I imagine that differences may arise between the owners and the men employed, if they think that they are being unfairly treated, and perhaps, in that case, the men might feel inclined to impose on the owners a check-weigher in order to render the position of the owners disagreeable. [*Cries of* "No!"] I quite admit that it would not be for the interests of the men that such a state of things should arise. It must not be forgotten, however, that workmen are occasionally misled, and that such a thing might take place. I understand from the Home Secretary that he has no objection to exclude from the appointment of check-weigher any individual whose conduct may have been of such a character as to render him ineligible for the appointment.

MR. J. W. LOWTHER: In deference to the view of the Government and the Committee I will not press the Amendment. At the same time, I think the hon. Baronet opposite (Sir Joseph Pease) has been fortunate in his experience on the East Coast. I cannot say that we have been quite so fortunate in our experience on the West Coast; but, seeing that the matter may be

met at a future stage, I will, with the leave of the Committee, withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. BURT (Morpeth): My hon. Friend the Member for Mid Durham (Mr. William Crawford) is unfortunately absent, but the Amendment which appears in his name on the Paper is one which I hope the Government will think it right to accept. That Amendment is to the effect that the check-weigher shall be allowed to give to each workman an account of the mineral which he has himself got.

MR. MATTHEWS: I confess I should have thought that it was not necessary to insert any words to provide that the check-weigher should not only check the weight, but that he should tell the men what had been done. I think it is totally unnecessary to introduce the words proposed in the Amendment of the hon. Member for Mid Durham.

MR. BURT: The statement of the right hon. Gentleman is quite satisfactory. I am glad that he has accepted the principle, and I can assure him that practical experience has proved the necessity of some provision of this kind.

MR. T. BLAKE (Gloucester, Forest of Dean): It is not necessary, in moving my Amendment, to make any comment. I have only to express a hope that the Home Secretary will accept it. The clause, as I propose to amend it, would provide that the check-weigher should have every reasonable facility for the performance of his duty.

Amendment proposed, in page 5, line 41, after "every," insert "reasonable." —(*Mr. T. Blake.*)

Question proposed, "That the word 'reasonable' be there inserted."

MR. MATTHEWS: I must say that I object to the watering down of the clause in this way. I do not think it is desirable to introduce words which seem to imply that we are not dealing with every possible contingency.

MR. J. B. BALFOUR (Clackmannan, &c.): I quite appreciate the difficulty of the right hon. and learned Gentleman in accepting words which might appear to be words of limitation rather than extension. I should suppose that under the Bill it is intended to authorize the check-weigher to do everything that is necessary to enable him to execute the duties of his office—to ascertain, record, and communicate to his employers the true weight of the mineral. I have no doubt that that was the intention with which the Bill was drawn; but, at the same time, there may be some doubt as to the precise effect of the clause as it stands. Suppose, for instance, that the hutch is run over the weighing-place too quickly, or that it is not brought to rest at the place where its full weight will press upon the steel yard, or that from any other cause the true weight has not been satisfactorily ascertained. In any such case, I think it would be right to give to the check-weigher power to say —"Weigh that hutch over again." Such a power would appear to be a reasonable facility. Without imputing blame to anyone, there might be circumstances which would render it necessary to re-weigh the hutch, or even to examine the machine itself, so as to ascertain whether it was in proper working order. I only mention this matter because there appears to exist a doubt in some minds as to whether the language of the clause would cover such a case. I am sure that any words of explanation coming from the Home Secretary will get rid of any impression that there is a desire to limit the duties of the check-weigher, and I am quite prepared to admit that if you are to begin to enumerate particular cases the enumeration itself would become dangerous, because, as a matter of fact, enumeration is limitation. Therefore, I think there ought to be some declaration to show that the words of the clause are to be reasonably interpreted, so as to cover everything necessary to enable the check-weigher to ascertain the weight as well as the master's weigher can do. I think that would be perfectly sufficient.

MR. MATTHEWS: Since the Bill was drafted something has occurred to my mind very much of the same kind as that which the right hon. and learned Gentleman opposite has expressed. The words which have been employed in the clause were considered to be the largest that could be used; but it may be proper to give the check-weigher power to examine the machine and ascertain whether any part of the machinery is defective—power not merely to check the weight, but to ascertain for himself

that the machinery is in proper order. I will undertake to do the best I can to make some provision to meet that difficulty on the Report stage; for instance, the inspector of weights and measures might be called in to inspect the machinery at proper intervals. Certainly, the check-weigher should have power, if he sees that something is wrong, to ascertain whether the balance is proper or not, because there may be something to prevent the weight from acting properly, or the lever may be out of order, and, therefore, under the circumstances, I will re-consider the matter, and, if there should be a necessity, will undertake, upon the Report of the Bill, to make it perfectly clear.

MR. TOMLINSON (Preston): I have an Amendment upon the Paper of a similar nature—namely, after the word "every" to insert "reasonable." The reason why I put down that Amendment was that I had considered the concluding words of this sub-section, which provided that if at any mine proper facilities are not afforded to the check-weigher, as required by the section, the owner, agent, or manager of the mine, shall each be guilty of an offence against the Act, unless he proves that he had taken all reasonable means to enforce, to the best of his power, the requirements of the section, and I thought it desirable to include some moderating words in the previous part of the sub-section. We have now, however, received an assurance from the Home Secretary as to what the intention of the Government is, which I think we must accept in the belief that no Court of Law is likely to deal harshly with any case which might arise.

MR. T. BLAKE: After what has passed, and after the assurance which has been given by the Home Secretary, I will not press the Amendment.

Amendment, by leave, *withdrawn*.

MR. MASON (Lanark, Mid): I have placed the following Amendment on the Paper—to add to the sub-section the following words:—

"Also with power to inspect the weighing machine, without unnecessarily impeding or interrupting the working of the mine, and also to re-weigh a tub or tram when he deems it to be necessary."

I do not know whether, after the statement which has just been made by the right hon. and learned Gentleman the Home Secretary, he may not be disposed to accept words to that effect. He has certainly accepted the Amendment in principle, but he has not informed the Committee as to the exact words he proposes to adopt.

MR. MATTHEWS: I read the Amendment of the hon. Member a few days ago, and I have again read it this morning. I think it offends against the rule that it is better not to enumerate the duties or powers of the check-weigher, and that some better words may be devised for carrying out the hon. Member's object. Probably the clause, as it stands, is, upon a subtle interpretation, open to the defect which has been pointed out—namely, that the check-weigher is only to have facilities for checking the weight of the mineral, and that the clause would not enable him to see that the machine itself was in a condition to give a correct result. That is probably a blot in the clause, as it stands, and it may be necessary to insert some general words to avoid any such danger, by providing for the inspection of the weighing machines or the manner in which the weights are worked. There may also be several other things which ought to be provided for by the use of general language, in order to carry out the views which have been expressed by hon. Gentlemen opposite. I quite agree that the check-weigher ought to be able to see that the machine is in working order—not that he should do the work of an Inspector, but that he should be able to discover whether the record of the weighing is accurate or not.

THE CHAIRMAN: I must remind hon. Members that there is no Amendment before the Committee.

MR. MASON: After the assurance which has been given by the right hon. and learned Gentleman I do not propose to move my Amendment.

MR. T. BLAKE: I rise to move, in page 6, line 9, Sub-section 3, to insert the words "by virtue of any provision in this Act or otherwise." The sub-section will then provide that the check-weigher shall not be authorized in any way, "by virtue of any provision in this Act or otherwise," to impede the working of the mine, or to interfere with the weighing, or with any of the workmen, but shall be authorized only to take an account of the weight. The sub-section

urther provides that the absence of the check-weigher shall not be a reason for interrupting or delaying the weighing. I simply propose to move the Amendment, leaving it in the hands of the Committee, without attempting to make a speech in support of it.

Amendment proposed, in page 6, line 9, after "in any way," insert "by virtue of any provision in this Act or otherwise."—(*Mr. T. Blake.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS: I gather from what the hon. Member has said that he does not appreciate the meaning of his own words, and I confess that I am in the same position myself. As I understand, these words are to be added at the end of Sub-section 2.

MR. T. BLAKE: No; I propose to insert them in the first line of Sub-section 3.

MR. MATTHEWS: Sub-section 3 runs thus—

"The check-weigher shall not be authorised in any way to impede or interrupt the working of the mine, or to interfere with the weighing, or with any of the workmen or with the management of the mine; but shall be authorised only to take such account as aforesaid, and the absence of the check-weigher shall not be a reason for interrupting or delaying the weighing."

The hon. Member proposes that the check-weigher, "by virtue of any provision in this Act or otherwise," shall not be authorized to do certain things. I can only say that the Amendment, as it stands, is unintelligible and unnecessary.

MR. T. BLAKE: I do not propose to press the Amendment.

Amendment, by leave, *withdrawn.*

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to move, in line 14, after "weighing," to insert—

"If the said check-weigher had notice of or reasonable ground to anticipate the intention to proceed with the weighing."

As the section at present stands, the check-weigher is authorized only to take an account, and his absence is not to be a reason for interrupting or delaying the weighing. In some parts of the country complaints are made that even where a check-weigher has been appointed or stationed under the Act, the practice is resorted to of "tipping" in his absence, and the weighing, consequently, goes on without his knowing anything about it. The object of my Amendment is to prevent that, and I hope its reasonableness will commend itself to the Home Secretary and to the Committee. When the coal is "tipped," I think it is only reasonable that it should be weighed at such times as the check-weigher might in the ordinary course of business be expected to be present. When there is occasion to weigh the coal at times when the check-weigher would not ordinarily be present, the manager should take the trouble to let him know that it is intended to proceed with "tipping." I am assured that in many cases the manager or one of his deputies gives orders to "tip" the coal 10 or 20 minutes before the usual time, and when the check-weigher comes up he finds that a great many tons of coal have been already weighed. This not only causes him to miss a portion of his duty, but it gives rise to a feeling of doubt and suspicion in the minds of the men. Then, again, on days when the colliery is not working the same thing is practised. The check-weigher is informed in the morning that no coal will be "tipped" that day; but when he goos to the pit on the following day he finds that a great deal of coal has been "tipped," and that weighing has taken place in his absence. If he makes any complaint he is told that his interference is a piece of impudence rendering him liable to be dismissed. Unless, therefore, the check-weigher is hedged around with some protection under the provisions of this Bill in this respect, the measure itself will be of very little use to the collieries in some districts. I beg to move the Amendment which appears on the Paper in my name.

Amendment proposed,

In page 6, line 14, after "weighing," insert "if the said check-weigher had notice of or reasonable ground to anticipate the intention to proceed with the weighing."—(*Mr. Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

MR. TOMLINSON (Preston): It appears to me that this Amendment is quite unnecessary. So far as I know there has never been any case in which a difficulty has arisen in consequence of the check-weigher not knowing that the

weighing was going on. It is quite obvious that it would be in the power of the check-weigher, if this Amendment were adopted, to interfere very prejudicially with the working of the pit. He would only have to keep himself out of the way, and not to give notice of his whereabouts, in order to prevent any weighing from going on at all.

MR. BROADHURST (Nottingham, W.): I do not think the insertion of the words proposed by the hon. Member for East Donegal could possibly bring about such a result as that which is anticipated by the hon. Member for Preston. On the contrary, I believe the adoption of the Amendment would be of very great service indeed. It is quite conceivable that there might be many instances of the kind suggested by the hon. Member who has moved the Amendment. The insertion of these words would do no harm to anyone; but they might do a great deal of good, and secure the safety and protection of the collieries. I would, therefore, ask the Committee to accept them.

MR. ARTHUR O'CONNOR: I desire to point out to the hon. Member for Preston that what he anticipates is perfectly impossible under the Amendment as I have worded it, because, as it stands, it provides that the check-weigher must have had notice of or reasonable ground to anticipate the intention to proceed with the weighing. Of course, if he neglects his duty, and absents himself from the weighing, the coalowner or manager would clearly be discharged from all responsibility.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I confess that what fell from the hon. Member for Preston seems to me to be a conclusive argument against this Amendment. If any check-weigher chose to stop away, he might, under this provision, stop the entire work of the colliery. On the other hand, I think there is no ground to fear that there would be any disposition to watch for the absence of the check-weigher, in order that the weighing might be proceeded with, to some extent surreptitiously. If the Amendment would prevent that object, and that object alone, I should be inclined to accept it; but some doubt certainly occurs to my mind as to what the effect would be on the supposition that the check-weigher is off, playing, for a week. It might not be possible, under such circumstances, to ascertain where he was, so as to give him notice, and therefore it might be difficult to say that he had "had notice or reasonable ground to anticipate the intention to proceed with the weighing." I confess that the words of the Amendment might give rise to difficulty; but, as far as I am concerned, I should be prepared to accept them in the hope that it may be possible to amend them.

COLONEL BLUNDELL (Lancashire, S.W., Ince): I feel bound to oppose the Amendment, and I hope that the Government will not be induced to accept it. Very great difficulty might arise, in the case of an important mine, where a large number of tons of coal are being drawn in the course of a single day, because under such a provision, if the check-weigher were to absent himself from the pit, and not be there to check the weight, the whole work of the mine might be hindered.

MR. FENWICK (Northumberland, Wansbeck): I do not think that there ought to be any attempt to draw or rather to dispose of the coals drawn out of the mine in the absence of the check-weigher, or to remove coal in regard to the drawing of which the check-weigher has received no notice. This is the only protection which the colliers will get under the Bill, and therefore I hope the Home Secretary will see his way to accept the Amendment. I know, of my own experience, that a colliery may have been idle, and the check-weigher consequently away, when a large ship has come in, and the managers have been compelled to draw coal out of the mine before the check-weigher could be communicated with. It is to provide against the possibility of an occurrence of that kind that this Amendment has been proposed.

MR. TOMLINSON: I think the Committee are placed in a position of some difficulty in having to discuss these words at the present moment. At the conference between the owners and the workmen this clause was very carefully discussed, and no difficulty of this kind was ever suggested. If the case had been raised words might have been inserted which would have avoided the difficulties apprehended from those now suggested.

MR. FENWICK: In answer to the remarks of the hon. Member for Preston, I may say that in supporting the Amendment which stands in the name of the hon. Member for East Donegal I did not understand that I was trenching in any way upon the principle which was accepted at the conference between the workmen and the coalowners. I should be the last man in the world to attempt to do anything of the kind, and if I thought that this Amendment interfered with any arrangement which has been come to between the coalowners and the workmen I would not have given my support to it.

SIR JOSEPH PEASE (Durham, Barnard Castle): I fully accept the principle of the Amendment. I think it is quite clear that no weighing should be going on if the check-weigher is not there; but if my right hon. and learned Friend the Home Secretary consents to accept these words, I hope he will look carefully over them before the Report stage, because, as they stand now, they do not appear to me to be very clear, but, on the contrary, they are open to some ambiguity. First of all, there is notice to be given to the check-weigher. What is the nature of the notice to be given to him? If the colliery ceases work on Thursday night, and it is not intended to draw coal on the following day, but in the meantime some large vessels come in, which render it necessary that coal should be drawn, what would be the course which must be pursued? The men who would have received notice that the colliery would not be at work would be called early in the morning, and the check-weigher also would receive a similar notice on the previous evening. If it was decided subsequently to work the colliery it would be necessary to collect the men together in the way I have described; but what sort of notice must be given to the check-weigher? Would it be sufficient to leave a notice at his house? Then, again, the hon. Member's Amendment says—"If the said check-weigher had notice or reasonable ground to anticipate the intention to proceed with the weighing." The fact that certain large steamers had come into the river might be noticed in the newspapers; would that be regarded as "reasonable ground to anticipate the intention to proceed with the weighing?" What we ought to do is to make the Bill perfectly clear; and, therefore, if we are to accept the principle of this Amendment, which is, I think, perfectly correct, I hope my right hon. and learned Friend will not pledge himself to the absolute words, but will look carefully over them before the provision is finally settled.

MR. MATTHEWS: I entirely sympathize with the object of this Amendment, but I confess that the exact words are open to some modification, and I therefore hope that the hon. Member for East Donegal will withdraw the Amendment for the present, seeing that we are all agreed as to the principle, so that the matter may be dealt with on the Report stage, when words may be introduced to give effect to the object of the Amendment. I think the hon. Member himself will see that there is some little ambiguity in regard to the words "unless there is reasonable ground to anticipate." These words would seem to imply that some previous communication had been conveyed to the check-weigher.

MR. ARTHUR O'CONNOR: I am perfectly satisfied with the assurance which has been given by the right hon. and learned Gentleman, coupled with his recognition of the reasonableness of my Amendment. I have no doubt that by the time the Report stage is reached, the right hon. and learned Gentleman will be able to suggest words that will carry out the object of the Amendment. I may add, with regard to the conference between the coalowners and the workmen, which has been alluded to by the hon. Member for Preston (Mr. Tomlinson), that I was not a member of that conference, and was no party to any arrangements that were then come to.

MR. TOMLINSON: I hope the hon. Member will understand that I had no intention of accusing him of a breach of faith.

Amendment, by leave, *withdrawn*.

MR. BURT (Morpeth): I beg to move the addition to the sub-section of the following Proviso:—

"Provided always, that nothing in this section shall prevent a check-weigher giving to any workman an account of the mineral gotten by him, or information with respect to the weighing machine, or the taring of the tubs or trams, or with respect to any other matter within the scope of his duties as check-weigher, so always, nevertheless, that the working of the mine be not interrupted or impeded."

I, myself, certainly attach most importance to those clauses of the Bill which relate to the safety of the mine and of the men, and I shall be glad to reach those clauses as soon as possible. At the same time, this is a matter which, although subordinate, is of much importance, and one of very great interest and moment to the miners generally. It relates to the question of the position and status of the check-weigher. In some parts of the country there has been a good deal of bickering and dissatisfaction with regard to the power of the check-weigher, although in the North of England, particularly in Durham and Northumberland, I have known very few cases of disagreement. The coalowners there have generally accepted the provisions of the Bill, in regard to the treatment of the men, in a very reasonable spirit. *The Times*, in an article yesterday, characterized by great fairness on the whole, although I do not agree with its views, spoke of the unique position of the check-weigher as an officer appointed by the men to supervise the employers. Now, that is not at all what the check-weigher is appointed to do. He is appointed to look after the interests of the men; and though it might be possible, as was stated a short time ago by the hon. Member for the Penrith Division of Cumberland (Mr. J. W. Lowther), for a man to make himself unnecessarily obnoxious to his employers, still the employer would have ample protection. He would have his own representative, who would be present at the weighing, and the chief, if not the only concern of the miners, is to secure the services of some person who will look after their interest. Now, in some cases — not in many, I admit, because I have already stated that the position of the check-weigher is generally accepted and recognized by the coalowner—but in some cases there is somewhat too great a tendency to regard the whole colliery and its surroundings as the property of the coalowner, without paying any regard to the interests of the men. I think it ought to be considered that the mineral itself is not really the property of the coalowner until he has paid the men for having produced it. The object of my Amendment is, in fact, to recognize the position of the check-weigher, and to make him the chief agent and representative of the miners, acting in that capacity as a check upon the coalowners. I have no desire to introduce any revolutionary principle, and the Amendment I propose will not do so. I may say that I have received an intimation from the Home Secretary that he is prepared to accept the Amendment. I am very glad that that is so, and it is not necessary that I should trespass further on the time of the Committee. I will only make this further remark—that in the Amendments we are proposing in this quarter we have no desire to preclude discussion in the House of Commons as to the terms of the settlement arrived at between the coalowners and the workmen. I should be the last person to do anything of the kind. No doubt, all these matters are fairly open for the consideration of other Members of the House; but I think the fact that practical men, on both sides, have agreed to this proposal ought to strongly recommend its adoption to the Committee.

Amendment proposed,

In page 6, line 14, after "weighing," insert—"Provided always, that nothing in this section shall prevent a check-weigher giving to any workman an account of the mineral gotten by him, or information with respect to the weighing machine, or the taring of the tubs or trams, or with respect to any other matter within the scope of his duties as check-weigher, so always, nevertheless, that the working of the mine be not interrupted or impeded."—(*Mr. Burt.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS: I notice that the words contained in the Amendment of the hon. Member who has just spoken are also contained in the Amendment of which Notice has been given by the hon. Member for Preston (Mr. Tomlinson) behind me, who was a party, I believe, to the agreement which was come to on this subject. I, therefore, have not the slightest hesitation in accepting the Amendment, although I am bound to say to the hon. Member that the clause has the proposed effect already, as, I think, any lawyer in the House will admit. Anyone appointed to check the weight on the part of the workmen would, as a matter of course, tell his employers what the weight was.

Question put, and *agreed to.*

MR. C. H. JAMES (Merthyr Tydvil): I have now to move, after Sub-section 3, to insert the following Proviso:—

"Provided that this clause shall not prevent a check-weigher from being or acting as secretary to any committee or body of workmen in the mine."

This is a very small Amendment; but I trust that the right hon. and learned Gentleman the Home Secretary will be able to accept it, because I am aware that in some parts of the country this sort of thing has happened. In South Wales, for instance, in one or two cases a check-weigher has been dismissed from that position solely, and upon no other ground, than that he had accepted an appointment as secretary or treasurer to the workmen employed in the mine, the reason for the dismissal being that such a position might involve an interference with the working of the mine. Now, that seems to me to be a very hard case. The check-weigher is appointed by the men, and there are many things he might do, such as acting as secretary to a sick fund, and other little matters of that sort, which would be for the interest of the men, whose confidence he possesses. A contrary opinion, however, has been come to by some of the coalowners in South Wales, who, I am informed, have discharged from their employment men who, in addition to being check-weighers, have filled other positions in the interest of the miners, and the magistrates have upheld that decision, and justified the coalowners in discharging men under such circumstances, on the ground that the duty of a check-weigher is simply to weigh the coal, and to give in an account. I have no doubt the Home Secretary will tell the Committee that the appointment of a check-weigher as secretary to the miners is not a contravention of this part of the section; but, unfortunately, the right hon. and learned Gentleman is sitting here in the House of Commons, and he is not down in my part of the country, where the magistrates, who have power to deal with the matter, are too much inclined to decide against the men and in favour of the masters. If the Committee consent to insert in the clause this Proviso that a check-weigher shall not be prevented from acting as secretary to any committee or body of workmen in the mine, I do not think the justices would be prepared to act in contravention of what then they would clearly understand to be the law.

Mr. C. H. James

Amendment proposed,

In page 6, line 14, after sub-section (3), insert — "Provided that this clause shall not prevent a check-weigher from being or acting as secretary to any committee or body of workmen in the mine."—(*Mr. C. H. James.*)

Question proposed, "That those words be there inserted."

MR. ARTHUR O'CONNOR (Donegal, E.): I wish to say that in very many cases the person selected as check-weigher is not selected because he happens to know the business of coal-mining, as any ordinary collier would know it, but because he can write and add up figures, and generally because he is a man who is looked up to and trusted by the colliers—a man who is likely to be of great use and value to them. He is very often used for the purpose of convening meetings, for writing out notices, and, to a great extent, he acts as the guide, counsellor, and friend of the miners. It has happened, undoubtedly, in several cases, and notably in South Wales, that men have been got rid of from the position of check-weigher because it has been held that they have interfered, or were likely to interfere, with the discipline of the mine by reason of their connection with the men employed in the mine. Under such circumstances, it certainly appears to be not unreasonable that some words or other should be inserted in the Bill to show that it is the intention of Parliament that these men are not to be interfered with, either by the magistrates or by the coalowners, on account of their action as officials connected with any organization which may be established among the colliers, or because they happen to act as agents, secretaries, or anything of that sort. I do not know whether I myself should feel inclined to advocate the precise form of words adopted by the hon. Member in this Amendment, because I think that, as the Amendment stands, the employment of the check-weigher would be limited to the right of acting "as secretary to any committee or body of workmen in the mine." Now, I think that although he might not be acting as secretary, he might be useful in many other capacities; but I admit that it is difficult to define any precise form of words which would cover the case. At the same time, I think there ought to be some words introduced into the Bill to show

the relation of the check-weigher towards the men outside, and I think that in the case of a man being appointed to an office of trust by the miners, the mere fact of his being check-weigher should not of itself be sufficient ground for removing him.

MR. BARNES (Derbyshire, Chesterfield): In my opinion, the Amendment is very unsatisfactory and objectionable; and, therefore, I shall oppose it.

MR. MATTHEWS: I object to this Amendment, in the first place, because I consider it to be wholly unnecessary. There is not a word in this Bill to prevent a check-weigher from being an acting secretary to the miners, or from accepting any other similar position with regard to that body. Then, why should we introduce here an Amendment which is merely surplusage? I think it would be most objectionable to say to any particular person—"Oh, you cannot be anything but secretary to the miners; you cannot even be treasurer, or anything beyond secretary to the mine." The Amendment says that "nothing in this clause shall prevent a check-weigher from being or acting as secretary to any committee, or body of workmen in the mine." There is nothing in the measure to prevent a check-weigher from acting in any capacity he pleases, outside the working of a mine, and I think it would be a great misfortune to insert unnecessary words which would only create difficulties.

MR. C. H. JAMES: After that expression of opinion on the part of the Home Secretary I will, with the leave of the House, withdraw the Amendment.

MR. ATHERLEY-JONES (Durham, N.W.): Before the Amendment is withdrawn I hope the Committee will allow me to say that I have had considerable experience in regard to check-weighing cases; and, therefore, I should like to say a word upon what I cannot help regarding as a very important matter. I quite agree with the right hon. and learned Gentleman the Home Secretary that there is nothing in this measure to prevent a check-weigher from fulfilling any function in connection with the miners, or with trades unions; but there are words in the Bill which, in my humble judgment, although, in deference to the opinion of those who are better able to form a judgment than myself, I have withdrawn the Amendments which I proposed to submit for the purpose of dealing with them — there are words in the Bill of a very questionable nature, and likely to give rise to disputes in future. Let me call attention to the words of the 3rd sub-section of this clause, in page 6, which says—

> "The check-weigher shall not be authorised in any way to impede or interrupt the working of the mine, or to interfere with the weighing, or with any of the workmen, or with the management of the mine."

Cases have occurred in my experience, speaking as counsel, in which a check-weigher has been removed by the Justices at Petty Sessions for having exercised his functions as secretary to the miners, and in most cases he has been removed because, in some way or other, he had advocated in his position of check-weigher the interests of the men. It was held by the magistrates, and their decision has been upheld by the Queen's Bench Division, that such an interference on his part came within the words of the existing Act of Parliament—namely, "impeding or interfering with the working of the mine, or otherwise misconducting himself." Now, what I want to impress upon the Home Secretary is this—that a man may be summoned before the magistrates for interfering with the working of the mine, because he may have taken some action at the pit-mouth which may be regarded with displeasure by the owners or manager, and the magistrates may thereupon hold that he has thereby been interfering with the workmen, and has, consequently, brought himself within the intent of the Statute, so as to justify his removal. If some such qualifying words as those suggested by my hon. Friend were put in—and I cannot say that I approve of them altogether, because I do not think that they are sufficiently explicit—instead of being open to the magistrates to discharge the check-weigher for an alleged offence of this kind, words of this character inserted in the Bill would justify the check-weigher in saying—"I was merely exercising my functions as an official of the mine." I can assure the Home Secretary that I am not speaking without considerable experience of this matter. I know the grievance which has been

felt in relation to the existing provisions of the Act of Parliament, and I know that, under the ambiguity of the words which now exist, advantage has been taken by the coalowners to prevent a check-weigher from fulfilling duties of this kind. Perhaps the right hon. and learned Gentleman will allow me to remind him that it is almost the universal rule for a check-weigher to be an official of some kind connected with the trades unions of the miners. I quite agree with what has been said by the hon. Member for Morpeth (Mr. Burt) and the hon. Member for the Barnard Castle Division of Durham (Sir Joseph Pease) that the best feeling subsists between the employers and the miners in the County of Durham; but I am also aware that there are instances, in other localities, in which the same feeling does not exist. Therefore, I would respectfully suggest to the Home Secretary the propriety of considering whether some alteration in this section, as it now stands, might not be satisfactorily made before the Bill is finally passed.

Mr. PICKARD (York, W.R., Normanton): I trust that the Home Secretary will accept the suggestion of the hon. and learned Member for Durham (Mr. Atherley-Jones), because I can assure him that, as far as the existing Act is concerned, we have had several instances such as he has mentioned in Yorkshire, and I think it is most desirable that words should be introduced to limit the interference of the magistrates.

Mr. W. ABRAHAM (Glamorgan, Rhondda): I quite appreciate the view of the Home Secretary when he said that there are no words in this measure which prevent a check-weigher from acting as secretary, or fulfilling any other duties in connection with the miners. But there were no such words in the old Act, and, nevertheless, the magistrates in South Wales have held that when a check-weigher has been acting as secretary of a miners' committee he was improperly interfering with the working of the mine, and they have not only ordered that he should be removed, but, as a matter of fact, he was removed. Further than that, the opinion of a very eminent counsel in London was asked upon the matter, and he upheld the decision of the magistrates. Therefore, I think that, if possible, it is desirable that the right hon. and learned Gentleman should introduce some express words into this clause to prevent a man from being removed from the position of check-weigher because he has acted as secretary to a body of working miners. If the right hon. and learned Gentleman can see his way to do this, I can assure him that the miners will be very thankful indeed.

Sir GEORGE ELLIOT (Monmouth, &c.): My objection to the Amendment is that it deals with a very small point, and that it would not accomplish the object which the hon. Member has in view. The duties of a check-weigher are methodical duties, and, speaking from experience, I am able to say that much of the satisfactory working of the mine depends upon the way in which he discharges his duties. As a matter of fact, the working of the mine depends mainly upon the underground manager and the check-weigher, and if the latter be a mischievous man, he may so order matters as to give rise to controversies and agitations inimical to the interests both of the employers and the men. Not only would he be able to bring about incessant squabbles, but he might seriously injure the good working of the mine. There ought always to be the most complete confidence between the masters and the men, and I think it would be most unwise to place power in the hands of those who represent the interests of the working miners to create difficulties in regard to the carrying on of the work. The working miners are, I think, among the most respectable working population in the country. There are at the present moment some 400,000 or 500,000 men employed underground, and I believe they constitute a class who are less brought before the magistrates than any other body of working men. No doubt, it is our duty, in conducting legislation of this kind, to do all we can to secure the safety and protection of the workmen, but it must be obvious that the very worst way of doing that would be to create difficulties between the masters and the workmen. I have on many occasions accepted a check-weigher nominated by the miners, and I have invariably found that he has been as conscientious a weigher for the masters as for the men. On no occasion has there been the slightest necessity for charging him with obstructing the work-

ing of the mine. Nor, on the other hand, have I found that he has been interfered with in the discharge of his duties by the ordinary officials of the mine. Under these circumstances, I think it is not to the interests of the miners themselves to have these difficulties raised, especially when it may result in carrying the disputed points before the magistrates. I would, therefore, appeal to my hon. Friend the Member for Merthyr Tydvil to withdraw the Amendment.

MR. C. H. JAMES: After the conversation which has occurred I do not think I should be justified in pressing the Amendment.

Amendment, by leave, *withdrawn.*

MR. W. ABRAHAM (Glamorgan, Rhondda): I have now to move the omission of Sub-section 4, in order to insert—

"If the check-weigher, miners' agent, or the check-weigh committee desire the removal of the manager or other colliery official, on the ground that the said manager or official has impeded or in any way interrupted the check-weigher in the proper discharge of his duties, or, in the check-weigher's absence altered, or caused to be altered, the weighing-machine, or interfered with the tare weight, or done anything detrimental to the interests of the men employed at the colliery, they may complain to a court of summary jurisdiction, who, if of opinion that the check-weigher, miners' agent, or check-weigh committee show sufficient *primâ facie* ground for the removal of the manager or such official, shall call on the manager or official to show cause against their removal."

I confess, that in moving this Amendment, the fact that the acceptance by the Government of an earlier Amendment proposed by my hon. Friend the Member for Morpeth (Mr. Burt), which was the result of an agreement come to at the conference between the employers and the workmen, has considerably modified the necessity for this Amendment. Still, there are other points in the Amendment to which I would like to call the attention of the right hon. and learned Gentleman the Home Secretary and the Government. In order to meet the case in the fullest manner, it is necessary that I should state what the case is, so as to explain what it is that we complain of. In a certain mine—I am not alluding now to the Rhondda Valley, but to a mine outside—in a certain mine it was found that the weighing machines were not in proper order, and that they had been weighing heavily against the men. The miners asked the manager to consent that someone should be employed to put the machine in proper order, and one of "Pulley's men," as they are generally called, came down to put it in a proper condition. Nevertheless, the very day after the machine was supposed to have been put in order, when the check-weigher went to look after the weighing, he found that the machine during the night-time had been tampered with, and that it was again not properly weighing the coal produced by the men. He made a report of the circumstance, and the result was that the colliery was allowed to remain idle for three days. I was asked by the men to advise them in the matter, and I recommended that they should appeal to the authorities and ask for the assistance of the Inspector of Weights and Measures of the district; but nothing could be done until the mine had laid idle for three days, resulting in a heavy loss of wages to the poor men employed in it. At the end of that time the machine was put right. Under these circumstances, I trust the Government will see the necessity for enacting some stringent provision in reference to this matter. I am quite prepared to admit that my objection to the clause, as it originally stood, has been very much modified by the acceptance on the part of the Government of the Amendment of my hon. Friend the Member for Morpeth. Still if I am not entitled to ask that, if in the absence of the check-weigher, the manager, or any official of the mine, should interfere with the gear or with the machine, and place it in such a condition as to impede its proper working, or if the check-weigher, miners' agent, or check-weighing committee desire the removal of the manager, or other colliery official, on the ground that the check-weigher has been interrupted in the proper discharge of his duties, the check-weigher shall be justified in calling on such manager or official to show cause why he should not be removed. What I am entitled to, and what I suggest is, that any action of this kind on the part of the manager, or any other colliery official, should be held to be an offence against the law. If the right hon. and learned Gentleman is prepared to meet me in that matter, I shall be quite ready to withdraw the

Amendment; but, otherwise, I feel that I am fully entitled to press it.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think it is perfectly clear that if the manager of the mine does what the hon. Member has just suggested—namely, fraudulently alter the weight, he commits a grave criminal offence, and I can hardly think that the existing Criminal Law is not sufficient to meet the case; but, if not, I am strongly inclined to make it an offence under this Act. And if the hon. Member will allow the Amendment to stand over, I will satisfy myself on the point, and if it is not already met by the existing law I shall be glad to provide for it here. The conduct of the manager ought to be just as much an offence under this Act as it is in the existing law; if the manager does not give proper facilities to the men under this Act *à fortiori*, he is guilty of conduct which ought to be reached in some way or other.

THE CHAIRMAN: If this discussion is to continue the hon. Member for the Rhondda division of Glamorgan must at once move his Amendment.

Amendment proposed,

In page 6, line 15, to leave out Sub-section (4) and insert, "If the check-weigher, miners' agent, or the check-weigh committee desire the removal of the manager or other colliery official, on the ground that the said manager or official has impeded or in any way interrupted the check-weigher in the proper discharge of his duties, or, in the check-weigher's absence, altered, or caused to be altered, the weighing-machine, or interfered with the tare weight, or done anything detrimental to the interests of the men employed at the colliery, they may complain to a court of summary jurisdiction, who, if of opinion that the check-weigher, miners' agent, or check-weigh committee showed sufficient *primâ facie* ground for the removal of the manager, or said official, shall call on the manager or official to show cause against their removal."—(*Mr. W. Abraham.*)

Question proposed, "That those words be there inserted."

MR. ARTHUR O'CONNOR (Donegal, E.): I wish to point out that this Amendment has for its object not to make that a crime that which was not so before, but to provide a cheap and ready resource for the men in case of need.

MR. MATTHEWS: Supposing that such conduct as the Amendment is directed against exists, I agree that it ought to be made an offence against the Act by whomsoever committed. The offence of tampering with the weighing-machine is one which might be prosecuted by anyone. The hon. Member will find that the only prosecutions which require the sanction of the Inspector or the State are for what I may call vicarial offences.

MR. W. ABRAHAM: I am quite satisfied with the assurance which has been given by the right hon. and learned Gentleman, and ask leave to withdraw my Amendment.

Amendment, by leave, *withdrawn.*

MR. ATHERLEY-JONES (Durham, N.W.): I do not intend to press the Amendment I have placed on the Paper to a Division; but I would ask the right hon. and learned Gentleman the Home Secretary whether it would not be possible for him to make some alteration in this clause so as to meet the objection I have indicated? I will give the Committee an instance of what I refer to. Not very long ago a check-weigher in Yorkshire was prosecuted under the existing Statute, because he had convened a meeting of the miners for the purpose of limiting the output of a mine. One of the charges also was that he had communicated to the men the weight made. The case came before the magistrates and the man was removed; it afterwards went before the Court of Queen's Bench, which upheld the decision of the magistrates, because the man had tried to stop the men working or doing the full measure of work—it was held that in this way he came within the words "impeding or interrupting the working of the mine." That seems to me to be a case very strongly in point, and it seems to me that still greater force is given to the effect of it by the words in the clause, "interfering with the workmen." I quite agree that it is not well to introduce bones of contention into this Bill or any Act of Parliament; but, at the same time, I suggest to the right hon. and learned Gentleman that this is the effect of the words "interfering with the workmen." I think these words are unnecessary, inasmuch as if a man is to be prosecuted it can be done for interference, it can be done without the intervention of this Act. I think these words are much to

be deprecated, and I trust that the right hon. and learned Gentleman the Home Secretary will be able to accept the Amendment which I beg to move.

Amendment proposed, in page 6, line 18, leave out from "or" to "himself," in line 21.—(*Mr. Atherley-Jones.*)

MR. MATTHEWS: I regret that I cannot agree to the Amendment proposed by the hon. and learned Member for North-West Durham. This clause is for the purpose of protecting the check-weigher in the performance of his duty, but, at the same time, to prevent him from using his position in the mine for any purpose except that for which he is employed. I think that if you put a man into this position you should strictly limit him to the specific duty which he is appointed to discharge.

Amendment, by leave, *withdrawn.*

MR. T. BLAKE (Gloucester, Forest of Dean) proposed an Amendment, in page 6, line 19, to insert words providing against the disclosure by any person whatever of the total weight or quantity of the output at the mine, always excepting that of informing the person or persons who may employ him, of the total weight or quantity he has raised by his own labour individually.

Amendment proposed,

In line 19, after "of the mine," insert "or has made known to any person the weight or quantity of output at the mine, beyond informing each person by whom he is employed the weight or quantity of his individual output." —(*Mr. Thomas Blake.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS: I do not see any objection to these words, if it is the pleasure of the Committee that they should be inserted, because they only carry out what is the intention of the Bill. Many coalowners object to the output of their mines being known, and Clause 34 protects the owner of the mine from having the output published. Hon. Members will see that although the output of the mine has to be returned to the Secretary of State, it is not to be published without the owner's consent. I think, therefore, that this is a very proper protection, both to lessees and coalowners.

MR. BURT (Morpeth): I think the words proposed by the hon. Member are very objectionable, and ought not to be inserted.

MR. J. E. ELLIS (Nottingham, Rushcliffe): We have now been more than two hours discussing this clause, which, no doubt, reasonably excites great interest, inasmuch as it relates to the check-weighman. This Amendment opens up another phase of the subject, and must inevitably lead to a long discussion. I hope it will be withdrawn, therefore; and I would further add I doubt if it would be wise to insert any Amendment in this delicate matter, excepting that agreed upon between the hon. Member for Morpeth and the hon. Member for Preston as representatives.

MR. ARTHUR O'CONNOR (Donegal, E.): I protest against this Amendment being withdrawn. I think the doctrine a very dangerous one, that certain persons are to meet in the conference room and agree to certain lines, and that everyone else is to be precluded from getting any other Amendment accepted. Not that I have any Amendment to propose; but I point out that this Amendment is inconsistent with what the Government has agreed to. The Amendment proposes to prevent what the Committee has already decided may be done—namely, that information shall be furnished to each man, not only with regard to himself, but others.

SIR JOSEPH PEASE (Durham, Barnard Castle): I wish to point out to the hon. Member (Mr. Blake) that it is of no use moving this Amendment. There are 400 or 500 men, say, in a mine, and any one of them can get at the secret of the output by adding the weights together after he has seen his neighbour or after someone has counted the waggons filled. Secrets are only secrets as long as they are kept; and 60 per cent of the miners have wives through whom the information would soon get abroad if there was any reason for the information being made public.

SIR GEORGE ELLIOT (Monmouth, &c.): I think, Mr. Courtney, it would be a very pernicious system if every man were to know how much coal is put out by his fellow workman. If one man earned 7*s.* a-day and another less it would lead to a bad feeling if it were communicated to the other work-

man; for that reason I think the Amendment is a correct one, and I hope the right hon. and learned Gentleman will adhere to the position he has taken up with regard to it.

MR. BLAKE: In order to meet what appears to me to be the wish of the Committee, I ask leave to withdraw my Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. TOMLINSON the following Amendments made:—In page 6, line 20, leave out "either," after "account," insert "or giving such information;" and in line 21, leave out "or otherwise misconducted himself."

Amendment proposed,

In page 6, line 31, after Sub-section (5) insert "a person who shall be so removed shall be disqualified to act as check-weigher for any period mentioned in the order made to remove him not exceeding one year."—(*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

MR. W. ABRAHAM (Glamorganshire, Rhondda): I trust the Home Secretary will not accept this Amendment. It is, in my opinion, sufficient punishment for the check-weigher to be removed. I will not, however, argue the question, nor do I say that the proposal is a departure from what has been agreed upon, but simply express my opinion that it would be better not to put in the words.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I am of opinion that this Amendment is unnecessary, and think it would be better to leave the matter to be settled by the men themselves.

MR. J. W. LOWTHER (Cumberland, Penrith): I hope the hon. Member will press his Amendment. It seems to me ridiculous that a man who misconducts himself should be dismissed, or ordered to be removed from his post, and that directly afterwards he is to be re-appointed by the men in exactly the same position as he was in before—not in the same mine perhaps, but in another mine. I know a case where an owner has 10 mines at a very short distance from each other; it may be that differences of opinion will arise, and, supposing the check-weigher is dismissed by the magistrate, the men, in order to spite the master, may immediately appoint him to another of his mines in the neighbourhood. For that reason, I trust the hon. Member for Preston will press his Amendment, which I shall feel it my duty to support.

MR. F. S. POWELL (Wigan): I am of opinion that a single removal would be ample punishment for the check-weigher; but, at the same time, I think there is something in the Amendment of the hon. Member for Preston. It is desirable that the proprietor should not have a man forced upon him who is not acceptable to him, and I therefore propose that words should be introduced which would prevent the re-appointment of the man to the same mine, or a mine belonging to the same employer.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 15 (Remuneration of check-weigher).

Amendment proposed,

In page 7, leave ont sub-section (1), and insert "And further, in all cases where a check-weigher has been appointed by the majority of the colliers working in the mine, and has acted as such, he may recover from any collier working in such mine his proportion of the check-weigher's wages or recompense, notwithstanding that any collier or colliers may have left the colliery, or others have entered the same since the check-weigher's appointment, any rule of law or equity to the contrary notwithstanding.

"And further, it may be lawful for the owner or manager of any mine, when the men at the mine agree, to retain the agreed contribution of the colliers for the check-weigher, notwithstanding the provisions of the Acts relating to truck, and to pay and account for the same to the said check-weigher, or such person appointed by the workmen to receive the same."—(*Mr. Burt.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. TOMLINSON (Preston): This Amendment now stands in the same position as the preceding clause. It was left at the conference to be re-drawn, and has been framed in a manner which meets our views.

MR. ARTHUR O'CONNOR (Donegal, E.): I am sorry this agreement has been come to. It is all very well for the hon. Member for Morpeth, who represents a large constituency of miners, to agree with the representatives of the coalowners in a matter of this kind, because the organizations in Durham

and Northumberland are in a position to protect themselves. But there are a great number of colliers who are not organized, and are a great deal more at the mercy of the owners than those who are. I can adduce cases where not only the check-weighers themselves have been injured or placed at a disadvantage, but where their relatives have had their wages reduced or their services altogether dispensed with. The words of the clause are merely permissive, and there is no provision for the protection of those who cannot take care of themselves. I think it is to be regretted that the hon. Member for Durham should have come to an agreement about this clause. I think the hon. Member has been betrayed into what is a mistaken course, and that it would have been better if he had championed the cause of the men as a whole, and not that portion of them whom he represents.

MR. BURT (Morpeth): I recognize the industry with which the hon. Member for East Donegal has applied himself to this question affecting miners, and the sympathy he has shown with us in our efforts to carry this Bill, as well as with the miners who are not everywhere organized so well as they are in Durham and Northumberland. At the same time, I wish to point out that my hon. Friend does not in this instance understand what he is talking about. The Amendment which I now move, and which is likely to be accepted by the Government, is really an improvement in the interest of the working miners, and most of all in the interest of those who are not well organized, inasmuch as it deals with the question of the employer being empowered to make arrangements relating to the payment of the check-weigher.

MR. MATTHEWS: No one is more disposed than myself to yield to the opinion of Gentlemen who have considered a question, and agreed as to what is best to be done. But I am unable to allow this Amendment to pass without expressing my firm dissent from the principle which it contains. This is a clause which will allow the majority of men in a mine to impose something on the minority against their will, and the principle seems to me to be wholly unsound. It may be that some of the men do not want to have a check-weigher, and would rather be without him; and it is unjust and unfair, in my opinion, to force him upon them. But the clause goes farther, and says that the check-weigher's wages may be recovered from men who have left the mine, "any rule of law or equity notwithstanding." These words mean that if 25 men vote for a check-weigher and 24 against it, the check-weigher must be appointed, and a proportion of his wages paid by the minority against their will. That seems to me to be a form of tyranny so insupportable that I cannot do otherwise than protest against the Amendment of the hon. Member.

MR. BRADLAUGH (Northampton): Permit me to ask the right hon. and learned Gentleman whether new labourers entering into employment at the mine would not do so with a full knowledge of the arrangements made.

MR. MATTHEWS: No doubt every one would in theory be presumed to have read the rules; but in the case of a mine in South Wales, for instance, it would not be so in practice.

An hon. MEMBER: This clause was laid before Sir R. Assheton Cross last year, and it was passed into law. Under the law before it was altered it happened that there was often a cantankerous fellow who, although he had the benefit of the check-weigher, would not pay his share of the cost. When this question went before the Judge of the County Court he held that the bargain was one between so many people only, and the whole thing fell to the ground, because new people came into the mine and others went out. The old clause being found to be illusory, this clause was put into the Bill, and I am greatly surprised at the attitude taken up by the right hon. and learned Gentleman with regard to the Amendment before the Committee. The suggestion is that the clause makes the colliery a sort of Corporation. But that is what we want it to be. There are certain unwritten laws in all collieries, and everyone there knows whether he has to pay a check-weigher or not. I hope my hon. Friends near me will stand firm on this Amendment. Before the clause of last year was passed there was, in South Wales, a great deal of dissatisfaction in connection with this matter, but as soon as it was passed it was found to work with the greatest ease. I have never heard a word from

either masters or men against the clause; instead of its being a grievance all opposition to it is removed, and the miners in South Wales are gratified at the clause having been passed. For these reasons I hope my hon. Friend will go to a Division on his Amendment.

MR. DONALD CRAWFORD (Lanark, N.E.): I think it is a mistake to suppose, as I understand it is supposed in some quarters, that this clause is objectionable to the miners in Scotland. On the contrary, I believe that they attach great importance to the clause, with the knowledge that the only way in which weight can be given to the decision of the check-weigher is by the whole of the men in the mine acting in concert.

MR. ARTHUR O'CONNOR: The objection to this Amendment is not that the majority of the workmen should be allowed to have a check-weigher, but that instead of making his payment compulsory through the manager or owner it is merely optional. The responsibility for collecting his wages is thrown upon the man himself; but it ought to be provided that the owner should be compelled to deduct the wages, which is a system adopted in connection with school pence and in other cases. An hon. Member who spoke a short time ago said that the men in Scotland are satisfied with the clause. But I have letters which show that this is not so. I find that in two different cases the men appointed at the pit-mouth to collect the wages of the check-weigher were got rid of, so that the men were afraid, and ceased to have a check-weigher, because they could not collect his wages; and although it is true that under this Amendment it is lawful to the owner, where the men consent, to make a deduction for the check-weigher, it was only yesterday that I heard the manager of a mine laugh at the idea of collecting his wages. If the manager or owner has a grudge against the check-weigher he is in a position to injure, not only the check-weigher, but also those who collect his wages.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 16 (Application of Weights and Measures Act to weights, &c. used in mines.)

MR. P. STANHOPE (Wednesbury): Under the existing Act all coal is hence-forward to be sold by weight; but it was only by a successful Division last night that we were able to strike out words from the Bill which would have given the Secretary of State powers of exemption which would have been extremely dangerous. I am informed that in the mining districts of Staffordshire and East Worcestershire wages are, in some cases, still not calculated by weight, but by a haphazard system of measurement. The coal in South Staffordshire is sold in barges; these barges are gauged, and instances have been brought before me of barges which were supposed to carry only 23 tons, carrying 40 tons and 42 tons. One effect of this is that the royalty owners suffer. Not that I can pretend to any tenderness for the owners of royalties, but in hopeful anticipation of royalties being some day subjected to rating for local purposes, it is most desirable that there should be accurate returns. In a sense, colliery owners are practically Boycotted by the merchants, who will not buy their coal if they refuse to recognize the system of exaggerated overweight. This practice has also a considerable bearing on local taxation, and especially where application is made for the loan of large sums of money on the security of mining property, as in the case of the South Staffordshire Mines Drainage Trust. It is admitted that the assessments which have been made since the trusts were created are illusory, and for the reasons I have stated it is most desirable that the amount of coal sold should be correctly given by the collieries. I can only say that no such record exists either on behalf of the men or on behalf of the colliery owner, and on that ground I hope the Committee will accept the Amendment which I propose to move, and which should be taken in connection with a consequential Amendment on the next page. My Amendment provides that all coal shall be sold by weight, but that the local custom shall be continued in so far as those following that custom shall come under the penalties of the Weights and Measures Act of 1878. I further propose, in a subsequent Amendment, that the Inspectors of Weights and Measures shall see that the provisions of this clause are carried out, and I hope the Home Secretary, in the interest of the coal proprietors and miners will see his

way to accept the words of my Amendment.

Amendment proposed,

In page 7, line 17, after Sub-section (1), insert —"No sale of coal shall be made from any colliery other than by weight; but any person selling otherwise shall be subject to the general penalties of the Weights and Measures Act of 1878."—(*Mr. P. Stanhope.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.); I cannot see my way to accept the Amendment of the hon. Member, and I do not gather from the hon. Member's speech the slightest reason why the sale of coal by measure should be prohibited. The hon. Member wishes to insert in the Bill a clause the effect of which is that coal shall only be sold by weight.

MR. P. STANHOPE: I beg the right hon. and learned Gentleman's pardon; my Amendment is that the local custom of gauging may be continued; but that the persons who continue to use it shall be subject to to the penalties of the Weights and Measures Act.

MR. MATTHEWS: Then I say that the Amendment is drawn so as completely to conceal the object which the hon. Member has in view. I think this Amendment would be entirely out of place in this Bill, which is to regulate coal mining and not coal selling, and it would, besides, be impossible to deal with every subject connected with coal mines, for if we were to attempt to deal with such matters we should never get through the Bill at all.

Question put, and *negatived.*

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to move the next Amendment which stands in my name.

Amendment proposed,

In page 7, line 19, after the word "shall" insert the words "but without unnecessarily impeding or interrupting the working of the mine."—(*Mr. Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

MR. TOMLINSON (Preston): I think the Amendment I have upon the Paper lower down which is intended to carry out the object the hon. Gentleman has in view carries out that object more completely.

THE CHAIRMAN: Does the hon. Member withdraw his Amendment?

MR. ARTHUR O'CONNOR: I am not unwilling to withdraw it; but I do not quite see the advantage of doing so.

Amendment, by leave, *withdrawn.*

MR. ARTHUR O'CONNOR (Donegal, E.): According to the clause as it now stands—

"An Inspector may, for the purposes of this section, without any authorisation of a Justice of the Peace, exercise at or in any mine, as respects all weights, measures, scales, balances, steelyards and weighing machines used or in the possession of any person for use at or in that mine all such powers as he exercise, if authorised in writing by a justice of the peace under Section 48 of the Weights and Measures Act, 1878."

Now, I propose to insert words which shall enable the miners, or any reasonable number of them, such as 10, upon a demand in writing, to secure the attendance of an Inspector that he may inspect all the weights and measures as to which they can show they have any ground to think are not in a satisfactory condition.

Amendment proposed,

In page 7, line 32, after the word "section" insert the words, "and on demand in writing to that effect, signed by not less than 10 miners, shall."—(*Mr Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

MR. TOMLINSON (Preston): The proposed words can hardly be necessary, considering that the clause runs—

"And shall also make such inspection and examination at any other time in any case where he has reasonable cause to believe that there is in use at the mine any false or unjust weight, balance, scale, steelyard, or weighing machine."

MR. ARTHUR O'CONNOR: It is a pity the hon. Gentleman does not read the Amendment before he rises to criticize it. If he had read it, he would have seen that under the clause as printed, an Inspector may, for the purposes of this section, exercise certain powers. My Amendment proposes that if a demand is made in writing by 10 or more miners, an Inspector not only may, but shall exercise this power—that is to say, the men will be able to secure that the power is put into operation. They have no such guarantee under the clause now.

[*Third Night.*]

MR. TOMLINSON: I have misread the reference. I thought it was intended to come in at line 22.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think the hon. Member (Mr. Arthur O'Connor) will find, on further consideration, that he has hardly selected the best place for these words. As I understand, his object is to make it compulsory that an Inspector should exercise certain powers if 10 or more miners ask him in writing to do so. The Weights and Measures Act refers to a somewhat different state of things to that contemplated in this section, and, therefore, to clothe an Inspector of coal mines with certain compulsory powers to go in buildings and open up machines without express authority would not be applicable. The clause supposes that an Inspector of weights and measures has reasonable cause to believe there is something wrong with the machines, and has already gone to the mines in order to inspect the weighing machines. The object of this sub-section is that it shall not be necessary for an Inspector to get the authorization of a Justice of the Peace, which, under the Weights and Measures Act, is necessary. An Inspector may, in the middle of the night, receive a message that something is going wrong, and he may not have time to apply to a Justice of the Peace for authority to inspect the machines. The hon. Member will see that it is quite out of place to bring 10 miners in here. The hypothesis is that an Inspector has gone to the mine on his own motion. If the hon. Members words come in anywhere, they come in Sub-section (2); but I think Sub-section (2) does more than he wishes. It provides that an Inspector, if he has reasonable cause to believe that there is in use any false or unjust weights or measures, may go and inspect them. The information of a single miner would make it the duty of an Inspector to go and inspect the machines. I cannot help thinking the words of the hon. Member would rather weaken the clause than otherwise.

MR. ARTHUR O'CONNOR: I admit that, as a matter of drafting, my words do not come in happily here; but the right hon. and learned Gentleman himself is responsible for that. He may possibly not for the moment remember it, but some time ago I addressed a question to him with regard to directing an Inspector of Weights and Measures to go to a mine to test the weights and measures, without throwing the charge for moving his standard measures and for his travelling expenses upon those who required his presence. The right hon. and learned Gentleman, in his reply, referred me to this section, saying that he had made provision in this section for the inspection of weights and measures. I quite admit the force of his observations with regard to the inelegancy of the drafting, and I will not press my words at this point, or at any other point, if the right hon. and learned Gentleman will consider between this and Report, whether he can make provision that miners who think they have ground for suspicion can require the attendance of an Inspector.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 7, after line 42, insert the following Sub-section:—"(5.) The Inspector of Weights and Measures shall not, in fulfilling the duties required of him under this section, impede or interrupt the working of the mine, and shall make the examinations and inspections and exercise the authority reposed in him between the shifts." —(*Mr. Wardle.*)

Question proposed, "That those words be there added."

MR. TOMLINSON (Preston): I have an Amendment of a somewhat similar character. My Amendment differs from this, insomuch as it does not require that the examinations of Inspectors shall be made between shifts. I do not know that it would be in Order, if this Amendment is negatived, to propose mine; and therefore I propose to amend this Amendment by the omission of all the words after the words "working of the mine."

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 7, after line 42, insert the following Sub-section:—"(5.) The Inspector of Weights and Measures shall not, in fulfilling the duties required of him under this section, impede or obstruct the working of the mine." — (*Mr. Tomlinson.*)

Question, "That those words be there inserted," put and *agreed to.*

Clause, as amended, *agreed to.*

Single Shafts.

Clause 17 (Prohibition of single shafts).

MR. MASON (Lanark, Mid): We have now reached the part of the Bill which deals with the question of safety, an important part of the Bill, and I rise to move that Clause 17 be amended by enlarging the distance between double shafts. At present the distance between the shafts need only be 10 feet. To my mind, that is quite inadequate, and absolutely worse than worthless, as, in the event of an explosion, the great danger is that both shafts would be wrecked. We had an illustration recently in my Division of Lanarkshire of the danger arising from a too close proximity of shafts. The Udston shafts are 40 yards apart. One shaft was so wrecked that there was no egress from, or ingress to, the mine by it. The other shaft was also partially wrecked, and several miners lost their lives. The explosion at this pit clearly showed that the shafts were in too close proximity. The great thing we have to consider is, to secure communication with the bank in the event of an explosion taking place. I admit the distance above ground is not of so much importance as that there should be a safe distance between the shafts underground. I am not, therefore, wedded to the distance of 50 yards above ground, and am prepared to accept a modification of my Amendment in that respect, provided distance under ground is sufficient. I believe that 50 yards underground is insufficient. I would rather see between the two shafts a distance under ground of 200 yards, so that in the event of an explosion both shafts may not be wrecked, and there may be a greater chance of rescuing men entombed. At the time of the Udston explosion there were 170 men under ground, and in consequence of the partial wrecking of the second shaft, it was a considerable time before any of the miners were got out. Eventually we were able to rescue 112 men; but I thoroughly believe that if the shafts had only been 10 feet apart, as this clause will allow double shafts to be, we should not have saved the life of a single man. I think that is a proof that the provision of this Bill in respect to the distance between shafts is not advisable; therefore, I trust the Home Secretary will readily accept my Amendment. I quite understand it will be a very difficult matter to make provision by which all the collieries now in existence should be required to comply with the alteration I propose, and therefore I do not suggest that my Amendment should be retrospective in its action. I think that the words recommended by the hon. Gentleman the Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis) are worthy of acceptance—namely, that "after the passing of this Act, no such shafts or outlets shall be sunk nearer to one another at any point"—he says, 20 yards, but I am disposed to say 50. I would, however, not be averse if practical men in the House think it advisable, to reduce the distance say from 50 to 30 yards, provided there is a sufficient distance secured between the shafts under ground. That is the really important point I wish to impress on the Committee, and I hope the Home Secretary will give way in this matter. At any rate, if he does not do so, I feel so strongly upon this question that I shall certainly take the sense of the Committee upon it. I have no doubt that before the discussion closes we shall have considerable information thrown upon the question by practical men who are competent to advise us in the matter. I beg to move the Amendment which stands in my name.

Amendment proposed, in page 8, line 14, to leave out the words "ten feet," and insert the words "fifty yards."—(*Mr. Mason.*)

Question proposed, "That the words 'ten feet' stand part of the Clause."

SIR JOSEPH PEASE (Durham, Barnard Castle): This is a very difficult and technical mining question. My own view is, and I have a little knowledge of mining, that my hon. Friend goes too far. It is only a comparatively few years ago that two shafts were made obligatory, and that many owners had to lay out many thousands of pounds in sinking a second shaft. Now experience has shown that, as a rule, an explosion only affects one shaft. It is therefore very desirable, in order that you may communicate with the seams readily, and restore ventilation, that you should be able, within a comparatively short time, to travel from one shaft to another. If you put your two shafts 50 yards apart, it would take a long time to get through the 50 yards, even if the strata or the rubbish was of the softest character. My hon. Friend the Member for the Rushcliffe Division of Nottingham suggests that shafts should not be sunk nearer to

one another at any point than 50 yards; but I think my hon. Friend opposite (Sir George Elliot), who knows a great deal more upon this subject than I do, will agree with me that the merits of the case would be met if it was provided that the shafts should be within 10 yards of each other, or say a reasonable distance of one another. It is not desirable that shafts should be too near, or that they should be too distant; it is very desirable you have two shafts within such a reasonable distance that you can easily communicate with one in the event of the other being wrecked.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I have endeavoured to obtain the best information I can upon this subject, and I think it right to point out that this clause simply continues the existing law. There never has been an explosion which has burst 10 feet of strata; the thing is unknown, and I believe it is impossible. The hon. Gentleman the Member for Mid Lanarkshire (Mr. Mason) desires that there shall not be the merest loop between the two shafts, in order that, in case of an explosion, there may be less chance of both shafts being injuriously affected. I am inclined to think that the distance between the shafts under ground should be somewhat considerable, that, in fact, it might be desirable to introduce into this Bill some clause providing that the shortest communication under ground should be 100 yards. To provide, however, that the distance between the shafts above ground shall be 50 yards is to impose a condition which is not only totally unnecessary, but which, in many cases, cannot possibly be complied with. I believe there are many cases in the country in which the owner has not got 50 yards of surface.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I entirely agree with my hon. Friend the Member for the Barnard Castle Division of Durham (Sir Joseph Pease), that this is a highly technical matter; and I should not have ventured to propose an Amendment respecting it if I had had no knowledge of mining. Having regard to the increased depth of the mines, and the increase of the number of men engaged in working them, I think it is essentially necessary to increase materially the distance between the two shafts. I do not quite understand the position in which we are standing. The hon. Gentleman below me (Mr. Mason) has mentioned 50 yards; I, in my Amendment, suggest 20 yards; and the hon. Baronet (Sir Joseph Pease) has suggested 10 yards. I do not know whether the Government are in a position to accept the suggestion of the hon. Baronet. I feel so strongly on this matter that if the Amendment of the hon. Gentleman (Mr. Mason) is the only one before us, I shall move to amend the Amendment by inserting 20 yards, instead of 50. Would it be in order for me to move my Amendment—namely, that—

"After the passing of this Bill, no such shafts or outlets shall be sunk nearer to one another at any point than twenty yards?"

THE CHAIRMAN: It would be quite in Order to insert such a Proviso; but the first question put will be "that 10 feet stand part of the clause." If that is rejected, and it is moved to insert "fifty yards," then the hon. Member can move to amend the Amendment by substituting "twenty" for "fifty."

MR. J. E. ELLIS: It must be borne in mind that explosions very often affect not only the mines, but the machinery for winding, and if the two shafts are within 10 feet of each other the probability is that, in case of explosion, the winding gear in both shafts will be absolutely destroyed. If you allow 20 yards between the shafts there is a greater chance that the winding machinery in one of the shafts, at all events, may remain uninjured, and to that extent you contribute to the safety of the men in the mine. I do not want to detain the Committee upon this very technical matter. I, however, entertain so strong a feeling on the matter that I shall certainly go to a Division if the Home Secretary is not prepared, as I trust he is, to meet our views.

SIR GEORGE ELLIOT (Monmouth, &c.): Ten feet is impossible; indeed, I think the idea originated from little shallow mines where no explosions take place. I think we should save time if we agreed at once to make it 10 or 15 yards. I would not go beyond 15 yards.

SIR JOSEPH PEASE: I quite agree with my hon. Friend (Sir George Elliot), that 15 yards would be a suitable distance to place as a maximum in the Bill.

MR. ARTHUR O'CONNOR (Donegal, E.): The right hon. and learned Gentleman the Home Secretary will remember that in reference to this subsection I put a question some time ago, in reply to which he promised to cause inquiry to be made as to whether it was necessary to have, in the case of any of the pits of Ireland, a second shaft sunk. Perhaps he will say what the result of his inquiry is?

SIR LYON PLAYFAIR (Leeds, S.): Perhaps the right hon. and learned Gentleman the Home Secretary will allow me as one who has been frequently sent down by the Government to examine into mining accidents, to urge upon him the opinion which has been expressed by the hon. Baronet (Sir George Elliot). It is certainly advisable not to have shafts at too great a distance, and it is equally advisable not to have them too near. Ten or 15 yards is the minimum which will satisfy the fears of the miners.

MR. MATTHEWS: I invited the expression of opinion of practical men. I am quite willing to accept 15 yards; but we must take care the clause only applies to the future.

MR. JOICEY (Durham, Chester-le-Street): By "the future" I presume the right hon. and learned Gentleman means that the section is not to apply to existing pits.

MR. MATTHEWS: Of course, existing shafts which comply with the present law must not be shut up.

MR. MASON: I am quite prepared to acquiesce in the suggestion that the distance between the shafts above ground shall be 15 yards, provided that the Home Secretary will give us an assurance that the distance under ground will be greater; because if there is direct communication between the two shafts under ground, 15 yards would be absolutely worthless.

MR. MATTHEWS: I have already intimated from the best information I have been able to obtain, that 50 yards was not a sufficient distance between the shafts under ground. I invited the opinion of practical men. I should be disposed to introduce a clause if practical men think it desirable, providing that the shortest distance between the shafts under ground shall be more than 50 yards.

MR. REYNOLDS (Tyrone, E.): I trust the Home Secretary will be able to see his way to exempt Ireland from the operation of this section, which requires that there shall be two shafts to a mine.

MR. MATTHEWS: I have great difficulty in hearing the hon. Gentleman; but do I understand him to desire that Ireland shall be exempted from this clause?

MR. REYNOLDS: Yes; because there is no fire-damp in the Irish coal mines.

MR. ARTHUR O'CONNOR: The right hon. and learned Gentleman promised me in reply to a question, that he would cause special inquiries to be made by an Inspector with a view to decide whether it was necessary to enforce the provisions of this section in Ireland.

SIR GEORGE ELLIOT: The right hon. and learned Gentleman the Home Secretary seems to think that the distance between the shafts under ground should be more than 50 yards. I think that 50 yards is too great a distance, and I see nothing at all to endanger the safety of the men if the shafts are 15 yards distant with a direct communication. We must remember that the initial difficulty in the case of explosion is to get communication between the shafts, and the shorter you can make the distance between the shafts with safety the better. I think 15 yards is sufficient.

Amendment, by leave, *withdrawn*.

Amendment proposed, in page 8, line 14, to leave out the words "ten feet," and insert the words "fifteen yards."

Question proposed, "That the words 'ten feet' stand part of the Clause."

MR. ARTHUR O'CONNOR (Donegal, E.): Has the right hon. and learned Gentleman decided to exempt Ireland from the operation of the section?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I am bound to say that when drafting the clause the exempting of Ireland from the operation of the clause was not present to my mind; but I will direct inquiry into the facts. If the hon. Gentleman will postpone any Amendment on the subject until the Report stage, I shall be obliged.

[*Third Night.*]

MR. ARTHUR O'CONNOR: Will the right hon. and learned Gentleman allow me to say that the points are these—There is practically no fire damp in Ireland, and there is very little other danger attending collieries. The principal expense connected with shafts is on account of pumping; having regard to the magnitude of the undertaking this expense is excessive.

MR. FENWICK (Northumberland, Wansbeck): I do not think it is at all necessary to make exemptions in the case of mines. Anyone who has any experience of mining knows that there is considerable danger in all mines, even in those which are the least fiery.

THE CHAIRMAN: There is no such question before the Committee. The point has been submitted for consideration only.

MR. TOMLINSON (Preston): I understand that if this Amendment is accepted, the right hon. and learned Gentleman will, on Report, propose that the operation of the section be limited so as not to apply to existing shafts or to prohibit deepening existing shafts.

MR. MATTHEWS: Yes.

Question put, and *negatived.*

Question, "That the words 'fifteen yards' be there inserted," put, and *agreed to.*

MR. J. E. ELLIS (Nottingham, Rushcliffe): The Amendment which I now move appears a small one, but it is a very important one. I propose to leave out "four" in line 15, and insert "five," and to leave out "three" in line 15, and insert "six." This, as hon. Members will see, has reference to the communication between the shafts. The present area of that communication by this Bill will be 12 feet, my Amendment would enlarge it to 30 feet. I attach very great importance to this. I referred a moment ago to the very increased depth of the shaft, and the much larger number of men employed in the pits. The object of the Amendment is, of course, to allow of a swift passage for a body of men in case of explosion. If you have now 500 men to pass in a certain time along a particular way, whereas you had only a few years ago 200 men, everyone will see that the larger the area of communication the greater the chance of escape. If hon. Members were in a mine at the time of an explosion they would readily see the effect of my Amendment would be to increase very greatly the chances of escape. It may, perhaps, be said that the expense of increasing the area of communication from 12 feet to 30 feet would be very considerable. As a mine owner, I would allow no expense to stand in the way of increasing the chances of escape. I trust the right hon. and learned Gentleman the Home Secretary will see his way to accept this Amendment.

Amendment proposed, in page 8, line 15, to leave out the word "four," and insert the word "five."—(*Mr. J. E. Ellis.*)

Question proposed, "That the word 'four' stand part of the Clause."

MR. BARNES (Derbyshire, Chesterfield): I think the hon. Gentleman (Mr. J. E. Ellis) forgets that the doors will have to be equally large, and that, therefore, the danger from explosion will be increased than otherwise.

SIR GEORGE ELLIOT (Monmouth, &c.). I think this is a matter which might be regulated by the Government Inspector and the managers of the collieries.

SIR JOSEPH PEASE (Durham, Barnard Castle): We must clearly understand what is being done. My hon. Friend (Mr. J. E. Ellis) proposes that there should be a clear space of 30 square feet, instead of a clear space, according to the Bill, of 12 feet. Of course, the object of my hon. Friend is to increase the chances of escape; but I very much doubt whether this Amendment will effect that object. We must recollect that all mines are not alike. The height and width of the wallings and shafts vary so much that it is very difficult to lay down a general rule. I agree with the hon. Baronet opposite (Sir George Elliot), that it is better that the Government Inspector and the owner of the mine should have the power to enlarge the area of communication wherever it is convenient.

MR. BURT (Morpeth): I hope the right hon. and learned Gentleman the Home Secretary will see his way to accept the proposal of my hon. Friend (Mr. J. E. Ellis).

MR. TOMLINSON (Preston): I cannot help thinking that in some cases, owing to the nature of the strata, it will

be found impossible to construct so large a passage as is proposed.

MR. JOICEY (Durham, Chester-le-Street): As a very large mine owner, I must deprecate a discussion of this kind. I think these matters ought to be left entirely in the hands of the practical men who are on the spot. This is a matter which the House of Commons cannot conveniently discuss.

MR. MATTHEWS: The hon. Gentleman (Mr. Joicey) must understand that the clause has been submitted for discussion. I do not wish to interfere in the least with the opinion of practical miners, but I must ask the Committee to observe what is proposed. It is proposed to fix the minimum size of the communication leading from each shaft to every part of every seam that is in work. Do not let it be understood that I am opposing the view of any hon. Gentleman who thinks the communication is not wide enough. I only desire to point out that it is an enormous increase that it is proposed to inflict on the lessee of a colliery, because it is proposed that he should be required to make every communication from every seam, six feet by five, instead of four feet by three. That is an enormous increase. It is as well the Committee should appreciate the position. There may be mines and seams in which communication of the size provided is not enough, but do not forget that under clause 43 an Inspector has power to come in, and if he thinks it necessary in a particular mine to have a wider communication in a particular seam of the working, he may insist upon a larger communication. Here you are laying down a minimum size of communication. I do not wish to set up my own opinion as against that of practical miners; but I may say the Inspectors are content with the dimensions proposed in the Bill.

SIR HUSSEY VIVIAN (Swansea, District): This is a very important question. The whole ventilation of the mines depends upon the doors between the two shafts being kept sound and solid. If an explosion occurs and the doors are blown out, you cut the air off from the whole of the mine, which may be miles in extent. There is no difficulty in making the doors as large as you like; but there is great difficulty in making them so strong as to withstand an explosion. If the air went down one shaft, and up the other, which would be the case if these doors were blown out, the whole of the air would be cut off from the workings. I would rather have no communication between the two shafts, and let air course round the mine, than I would weaken the barrier in any way. It is very important that this should be kept as strong as possible. I have not the slightest doubt the Inspectors have well considered these dimensions, and I must say it would be a very dangerous thing indeed, on the spur of the moment, to alter these dimensions. The hon. Gentleman (Mr. J. E. Ellis) who moved this Amendment talked of the men passing from shaft to shaft. It is exceedingly unlikely that they will do that. These doors should not form a passage. If an explosion occurred the men would not dream of passing from shaft to shaft, but would depend for their existence upon the air going all round the mine. If the doors were blown out, the air would not course round the mine. It is a very dangerous thing indeed, without due consideration, to alter the dimensions of mine doors without advice from those who have carefully considered this matter.

SIR GEORGE ELLIOT: In view of the statement of the right hon. and learned Gentleman the Home Secretary that under Clause 43 there is power authorizing the Goverement Inspector to enlarge the area, I think it is well that we should adhere to a limited size.

SIR LYON PLAYFAIR: Looking at the clause originally, I came to the conclusion that the area of the communication was too small. We must, however, recollect that this is a minimum. The Amendment which I suggest is five feet by four. I think that would probably be quite sufficient, and would enable the ventilating doors to be kept sufficiently strong, and the current of air to go through the mine.

MR. J. E. ELLIS: After the expression of opinion, I have no objection to withdraw my Amendment in favour of that suggested by the right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair).

Question put, and *agreed to.*

SIR LYON PLAYFAIR (Leeds, S.): I beg to move to leave out the word "three" in line 15, and insert "four."

[*Third Night.*]

Amendment proposed, in page 8, line 15, to leave out the word "three" and insert the word "four."—(*Sir Lyon Playfair.*)

Question, "That the word 'three' stands part of the Clause," put, and *agreed to.*

MR. J. E. ELLIS (Nottingham, Rushcliffe): I now propose the insertion of the word "constantly" after the word "be" in line 19. The Committee will perceive that this depends upon another Amendment I have upon the Paper lower down—namely, to omit the words "within a reasonable time." The effect of the Amendment would be that the apparatus for the men leaving the mine would be "constantly available." I trust the Home Secretary will be able to accept the Amendment.

Amendment proposed, in page 8, line 19, after the word "be," insert the word "constantly."—(*Mr. J. E. Ellis.*)

Question proposed, "That the word 'constantly' be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): This again is a matter which depends upon the opinion of practical men. I am not wedded to the present wording of the clause. I know the existing law does require that the apparatus for outlet should be available for use in a reasonable time. As we all know the upcast shaft is never used except in case of emergency, and therefore "a reasonable time" must depend upon circumstances. I will adopt any form of expression which the practical men in the House think best. At the same time, it does strike me that it is not very rational to require that the winding gear should be always, or constantly available, when we all know that it is only on the lamentable occasion of an accident when it is necessary to be put in use.

MR. FENWICK (Northumberland, Wansbeck): I think this Amendment of my hon. Friend (Mr. J. E. Ellis) is a very reasonable one, and I hope the Home Secretary will see his way to accept it. I myself know a case where an accident occurred, and the men were unable to get out of the mine by means of the ordinary shaft. The second shaft was brought into requisition, but considerable time elapsed before it could be got ready. Great risk was incurred by the men down the mine. Considering the great danger which miners are exposed to, there ought to be constantly in readiness a means of outlet. I remember that an accident occurred in Northumberland, and the apparatus by means of which the men ought to have escaped was not in readiness. Afterwards the men refused to go to work until the owner got the shaft in readiness, and kept it in readiness.

MR. JOICEY (Durham, Chester-le-Street): At all well-managed collieries it is the custom to have both shafts in readiness in case of accident. There can be no hardship in compelling every owner to keep his mine in such order. I think the hon. Baronet below me will probably agree with me when I say that in all well-regulated mines in our district that is the case.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): No doubt in large well regulated mines apparatus of this description is always kept in readiness. In Staffordshire there are some mines working with small capital, and it is most essential that in these mines the raising machine should always be in readiness. In well-regulated ships they do not expect men to be falling overboard every day, yet the lifeboat and all other life-saving apparatus are always in readiness. The same principle should apply in the case of a coal mine. I trust the Committee, therefore, will accept the Amendment.

MR. BURT (Morpeth): This is a most important Amendment. In a matter of this kind everything depends on promptness. A loss of a few moments at a critical time might lead to the sacrificing of scores and hundreds of lives. I therefore must support my hon. Friend if he goes to a Division. I hope, however, the right hon. and learned Gentleman will obviate the necessity of our going to a Division by accepting the Amendment.

MR. ARTHUR O'CONNOR (Donegal, E.): I would illustrate the importance of this by directing the attention of the Committee to the Report which was returned respecting the explosion which occurred at the National Colliery in the Rhondda Valley. On page 16 of that Report it is pointed out that at 20 minutes to 7 o'clock, while many of the night shift were waiting to be sent up,

the explosion occurred, and caused a large quantity of dust and smoke to be sent up the down-cast shaft, blowing the winding rope off the machine, and doing a great deal of other damage to both shafts. Well, what happened? Why, at about 11 o'clock that night the managers and others succeeded in rescuing five men who were close to the pit's eye when the accident occurred. They were severly burned, but their lives were saved. This would not have been the case if the exploring party had not been able to get at the pit's eye rapidly. In other cases of this kind, if you have the means at hand it is possible that in the same way you may be able to save a great many lives.

SIR JOSEPH PEASE (Durham, Barnard Castle): I fear we sometimes get hypercritical in these matters, and I think we are in danger of being so in this case, for we find the clause, as it stands, says—

"Proper apparatus for raising and lowering persons at each such shaft or outlet shall be kept on the works belonging to the mine; and such apparatus, if not in actual use at the shafts or outlets, shall be available for use within a reasonable time."

The hon. Member who moves the Amendment says that the apparatus for raising and lowering persons at each shaft shall be "constantly" available, and would leave out the words "within a reasonable time." I am rather in favour of his Amendment, but I do not think there is a great deal to choose between the Amendment and the Bill as it stands.

MR. MASON (Lanark, Mid): I trust the Amendment will be accepted by the right hon. and learned Gentleman the Home Secretary.

MR. MATTHEWS: Agreed.

Question put, and *agreed to.*

Amendment proposed, in page 8, line 19, leave out "within a reasonable time."—(*Mr. J. E. Ellis.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Clause, as amended, *agreed to.*

Clause 18 (Agreements not to preclude compliance with Act) *agreed to.*

Clause 19 (Exceptions from provisions as to shafts).

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to move, in line 17, to leave out—

"Or by establishing communication with a second shaft or outlet in any case where such communication existed, and has become unavailable."

Now, Sir, these words are a new introduction. They are not found in the Bill of the right hon. Gentleman the Member for Edinburgh (Mr. Childers), and they have a very curious significance. This Clause 19 is to except certain mines or working districts from the provisions of the previous section, and the words as they stood in the Bill of the late Government were that the provisions should not apply to any proved mine so long as it was exempted by order of the Secretary of State on the ground that—

"The quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by sinking or making a second shaft or outlet."

This very significant addition has been made for what reason I do not know; but it appears to me that there is a lurking danger about it. It has reference to allowing communication with a second shaft to remain closed where such communication existed at one time; but where it may have become unavailable through flooding or some other cause. It might occasion outlay on the part of an owner to re-open a communication which used to exist, but has become unavailable; but there should be sufficient ground shown for not using a communication of this kind, even if it has become unavailable. I would ask the right hon. and learned Gentleman the Home Secretary to explain the exact meaning of these words in the Bill. I would ask him to say in whose interests they have been introduced. It certainly does not seem to me that they have been introduced in the interest of saving the lives of the men. I beg to move my Amendment.

Amendment proposed, in page 9, line 17, leave out from "or" to "unavailable," in line 20.—(*Mr. Arthur O'Connor.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

COLONEL BLUNDELL (Lancashire, S.W., Ince): Supposing there is coal in

a mine which is being worked out available to be got by means of one shaft, and the other shaft is altogether cut off from it, if it is unnecessary on account of safety to re-establish at considerable cost the communication between the two, to compel the owner to do so might be to oblige him to give up the mine prematurely, involving loss of wages to the workmen and loss of coal. The opening up of an unnecessary communication might involve considerable cost. The principle of the clause has been recognized in all previous Acts.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): The hon. Gentleman opposite will see that these words as to the communication having become unavailable only applies to a case in which the quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by re-opening that communication. The Sub-section (*a*) contemplates two cases of unremunerative outlay—sinking a second shaft, and re-establishing communication with a second shaft in any case where such communication existed, but has become unavailable. The phraseology is altered from that of the existing Act.

MR. ARTHUR O'CONNOR: All the words are new.

MR. MATTHEWS: Yes, the phraseology is different, but in substance it is the same thing as that which is contained in the existing Act, Section 22, Sub-section 3. There are so many points to remember that I am not able to carry in my mind every consideration which has dictated the use of the phraseology adopted in the Bill. I think, however, that the words of the hon. Gentleman objects to are only intended to put more clearly what the existing Act already intends to cover—that is to say, that where such a small quantity of coal is obtained that it would not repay the cost of re-opening a second shaft, such shaft may not be insisted upon. It is better to exempt a mine from the necessity of making a second shaft, than from the necessity of making a communication when the latter would be less expensive. I do not think cases under this clause would arise very frequently; but if there should be such a small amount of coal left in a mine as to render it not worth while to establish communication with a second shaft, the dispensation from a second shaft is *à fortiori*. The matter is a small one. I think the words might be struck out without great injustice. However, there they are, and the Committee can act as it thinks best.

MR. ARTHUR O'CONNOR: If the amount of coal left in a mine is so little that it will not repay the expense of re-opening communications, surely the amount of profit to be obtained is too small to make it worth while endangering life to secure it.

SIR JOSEPH PEASE (Durham, Barnard Castle): The hon. Member has pointed out that there is no danger in Irish mines. I would remind him that the clause, or that part of it under discussion, only applies to cases where—

"Not more than twenty persons are employed below ground at any one time in the whole of the different seams in connection with each shaft or outlet."

I think that which is contemplated by the clause is a thing which would very seldom occur, and then only after the mine had been visited by an Inspector, and he had reported to the Home Secretary.

Question put, and *agreed to.*

MR. ARTHUR O'CONNOR (Donegal, E.): I now move, in line 38, to leave out "sixty-five," in order to insert "seventy-three." The effect of this part of the clause will then be that the foregoing provisions of the Act with respect to shafts or outlets should not apply to any mine—

"Which is provided with two shafts sunk before the first day of January, one thousand eight hundred and seventy-three, but at that time separated by a distance of less than ten feet."

Here, again, the Bill advances on the phraseology of the measure of the late Government, and extends the time backwards for some eight years. For what purpose this is done, I do not know.

Amendment proposed, in page 9, line 38, leave out "sixty-five," and insert "seventy-three."—(*Mr. A. O'Connor.*)

Question proposed, "That the word "sixty-five" stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): This

clause, no doubt, gives a new year, but it simply corrects a mistake in the Bill of last year; and I think I can satisfy the hon. Gentleman of that in a moment. If he will look at 25 & 26 *Vict.* c. 79, s. 3, he will find the Act which first prohibited single shafts. The date of that is 1865, I think. That is the date which ought to be in the clause, and not 1873, which, by some accident or other, was inserted in the Bill of last year. I suppose it was in consequence of a mere slip of the pen.

MR. ARTHUR O'CONNOR: The object is to extend the period from the date when the Coal Mines Act of 1872 came into operation to the date of the Act of 1865, to which the right hon. and learned Gentleman has referred. What can be the reason for it?

MR. MATTHEWS: I say that up to the date of 1st January, 1865, the colliery proprietors were allowed to have a single shaft, and the clause that prohibited that allowed one shaft to continue in certain cases. It is never intended, after 22 years, to impose on these people the obligation of sinking a second shaft, seeing that they have been dispensed from it for so long.

MR. CHILDERS (Edinburgh, S.): The right hon. and learned Gentleman is quite correct in his statement.

Question put, and *agreed to.*

Clause *agreed to.*

Division of Mine into Parts.

Clause 20 (Division of mine into parts).

MR. TOMLINSON (Preston): I beg to move the Amendment standing in my name, which will give the manager of a mine, as well as the owner or agent, power to give notice in writing to the Inspector of a district where two or more parts of a mine are worked separately. It seems to me that it will be more easy for the manager to give this notice than for the owner or agent to do it.

Amendment proposed, in page 10, line 3, to leave out the word "or," and, after "agent," to insert the words "or manager."—(*Mr. Tomlinson.*)

Question proposed, "That the word 'or' stand part of the Clause."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I have no objection to the Amendment, nor to the one which follows it, standing in the name of the hon. Member.

Question put, and *negatived.*

Question, "That the words 'or manager' be there inserted," put, and *agreed to.*

Further Amendment (*Mr. Tomlinson*) *agreed to*, in page 10, line 11, to leave out the word "or" in each place, and, after "agent," insert "or manager."

Clause, as amended *agreed to.*

Certificated Managers.

Clause 21 (Appointment of manager of mine).

MR. BURT (Morpeth): I have the following Amendment on the Paper:—In page 10, leave out Sub-section (1), and insert—

"That the certified manager of every mine, or part of a mine or colliery, to which this Act applies, shall be held to be the person who has the responsible care, or control and direction, of the mine. He shall be a properly qualified person, and shall be next in charge to the owner of the mine, and shall be invested with power to enforce the requirements of the Mines Act. Such certified manager under the Act shall be the agent, or head manager, or head viewer, of the mine, and he must hold a first-class certificate; his duty to be defined by the Act.

"That the under manager shall hold a second-class certificate, and shall not be deemed to be the certified manager of the mine, and must have had, at least, five years' working experience in a mine."

I do not propose to move this Amendment here, but the concluding part of it I will move to Clause 24. After examining the Bill very carefully, it seems to me that that which I had desired to effect by the early part of the Amendment is already provided for.

MR. ARTHUR O'CONNOR (Donegal, E.): I rise for the purpose of moving, in page 10, line 27, after Sub-section (2), to insert—

"No person shall act as manager to more than one mine in which more than thirty persons are employed below ground."

I do not attach much importance to the exact figure "thirty" which I have inserted in the Amendment; but I trust the Committee will, in some way, endorse the principle embodied in the proposal. At present you may have a manager with a very large number of collieries under him. There are men who have now nominal charge, not only of

two or four, but of as many as 12 different mines, and it is perfectly impossible for them to attend to anything like a third of that number. The duties connected with that supervision and control of a thing like a colliery are so important and so multifarious that one ordinary colliery is quite sufficient to absorb the attention, time, and services of one man. Under the present system—as projected in the Bill, I mean —you might have this curious result, that a number of colliery owners might combine to appoint a nominal general manager, and he might control 500 collieries, or, for the matter of that, all the collieries in the Kingdom, and for each of them might have an under manager, with a certificate, of course. The nominal head manager might be a man the amount of whose work might be so preposterously exaggerated that it might be impossible for him to do any part of it himself. I hope the Government will be prepared to draw the line somewhere, so as to secure that the man who is the nominal manager of a colliery shall be required to discharge the duties, control, and supervision of that colliery.

Amendment proposed,

In page 10, line 27, after Sub-section (2) insert—"No person shall act as manager to more than one mine in which more than thirty persons are employed below ground."—(*Mr. Arthur O'Connor.*)

Question proposed, "That those words be there inserted."

SIR JOSEPH PEASE (Durham, Barnard Castle): I fear the hon. Member, in trying to make things too fast, would render them much too loose. Several of us in this House have managers who are paid, at least, four figure salaries, and the hon. Gentleman desires to provide that each of these should not have control of more than one mine in which more than thirty persons are employed below ground. With this Amendment you would not be able to obtain the services of these men; but would have to content yourself with an inferior class of manager—with men of much less experience and education. There is a provision in this Bill for the appointment of sub-managers, but not many of them will be first-class certificated men, but men of great practical knowledge, so that I think the object of the safety which the hon. Gentleman has in view is not likely to be much advanced by his proposal.

MR. BURT (Morpeth): I so far sympathize with the object of my hon. Friend that I see there is a necessity for putting in the Bill some limitation or other as to the number of mines which can be under one single manager. The limitation proposed by the hon. Member is, however, hardly admissible. I think the matter is one to which the right hon. and learned Gentleman the Home Secretary would do well to devote some attention.

MR. ARTHUR O'CONNOR: I do not propose that there should be a separate manager for every 30 men. What I propose is that, supposing there are 1,500 men in a mine, the man who is supposed to be manager of that mine shall not also be manager of half-a-dozen others. There are men who are certificated managers who do not go down the mines. They are supposed to manage once in three months. I have here a statement from Tipton, one which is very much to the point. I am told that there are some of these certificated managers who have even more than 12 collieries under them, though under the Mines Act of 1872 it is necessary that a colliery should be under the daily supervision and control of a certificated manager. My informant says—

"Not one in 10 go down every day, nor yet once a month. I have known cases where I have worked where no certificated manager has been down for three months, and in the case of one large colliery I am acquainted with the certificated manager was six months without going down."

Now, I do not propose that a certificated manager should be limited to one colliery, but that where a manager has control of more than one they should be generally small affairs, and that where a man has charge of a pit where several hundred men are working, he should not also have charge of another pit. As I said before, I am not wedded to the figure 30, but I do think it is a reasonable thing to suppose that a man who is held to be a certificated manager, and responsible for such a dangerous undertaking as this, should have only that amount of work entrusted to him which he can reasonably undertake.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I think,

perhaps, I may shorten the discussion on this clause if I at once state the general object we have in view. I need not point out to hon. Gentlemen acquainted with the subject that it is necessary to have in daily supervision of a coal mine some competent authority, and I have been desirous of securing that. I think the hon. Gentleman the Member for East Donegal, who is so full of information on this subject, should have given the Committee to understand that a law has recently been established, by a decision of the Court of Queen's Bench, which seems to me of the utmost importance. It is now settled that a "daily supervision" means a "daily personal supervision"—that is, a supervision down the pit. Now, the Committee will see that under Clause 22, in every mine "under the control of a certified manager, daily supervision"—which means daily personal supervision—

"Shall be exercised either by the manager or by an under manager, nominated in writing by the owner or agent of the mine."

I should have been very glad if it had been possible to require that under managers should have first class certificates; but, according to the information I have been able to obtain, I am afraid there would not be a supply of first-class certificated managers for all the mines in the Kingdom. You could not get them in sufficient numbers to have one such man down every mine every day. You can find plenty of skilled men perfectly competent to protect the lives of the workmen, but they would be practical men, and would not be able to pass the examinations necessary in order to obtain first-class certificates, and to show those qualifications which are required to secure, under all circumstances, the safety of the workmen. It is for that reason that I have had recourse to the device—which is a new one—of establishing a body of second-class certificated managers. In the first-class managers we must have a certificate of scholarship. That we could not get in the second-class managers, though I believe the men would be just as practical and useful for purposes of safety. Now, is a manager to be restricted to one colliery? I know that under the old system there has been a feeling on the part of the men—a very natural feeling—that a manager should not have too much work imposed upon him, lest he should neglect each and all of the collieries under him. But under the system proposed we shall secure the daily presence and supervision of at least one competent man, and shall have at least one manager daily down the pit. We do not restrict the first-class certificated manager, who will be a man of superior education, to one colliery, but we say to him—"If you manage several pits you shall be responsible for them, whether you are on the spot or not." Clause 22, though the manager is not down the pit daily, and only pays it an occasional visit, giving a general superintendence, makes him responsible for all that is going on. I think we may trust to that provision being quite sufficient to prevent a man from undertaking the management of too many mines. It seems to me that no one will undertake the vicarious responsibility for everything that takes place at a number of pits unless he is able to discharge the duties of his position with satisfaction to his own mind. The manager is held responsible for everything wrong done at the pit. He is responsible, at any rate vicariously, for seeing that the ventilation rules and the shot-firing rules are not infringed. I think we may be sure that no man will undertake all the responsibilities imposed by this Bill, which are of a very terrible character, and that no one would render himself liable to all the penalties of the Bill unless he is prepared to take such precautions as will ensure that the general system of management is a good one. I may be wrong in this matter—I am not wedded to its details; but that, generally speaking, is what we had in view in introducing this proposal. We thought we were adopting a better system in the interests of the men themselves. You could not, as the hon. Baronet the Member for Barnard Castle (Sir Joseph Pease) pointed out, expect a manager receiving a salary of four figures to confine himself to one pit alone. He might be an engineer of considerable eminence, and of great experience, residing in the neighbourhood, and if it is thought desirable to pay such a high salary in order to secure the services of such a man it is in the interests of safety generally and the progress of the mine. As I have pointed out, by Clause

22 it is provided that a duly qualified manager shall go down the pit every day. At any rate, our proposal is entirely subject to the criticism of the Committee. Let it remember, however, that this proposal goes far beyond the provisions of the existing law, under which there is no provision made for a daily supervision by a duly qualified person. The idea hitherto held in the Home Office had been that a manager of a coal mine should only go down the pit about once a fortnight, according to his convenience, and that there should be no daily inspection except on the part of the under viewer. That system we now propose to put an end to, by providing that there should be a certificated manager down the pit every day.

MR. ATHERLEY-JONES (Durham, N.W.): I quite feel, with the right hon. and learned Gentleman the Home Secretary, that Section 22 does, to a large extent, meet the requirements of those on this side of the House who have spoken on the subject of enforcing the personal liability of the head manager; but, with great respect to the right hon. and learned Gentleman, I do not think he fully appreciates the precise position taken up by my hon. Friend the Member for East Donegal (Mr. Arthur O'Connor). The position is this — the manager, through his power of appointing a sub-manager, deputes his authority. He may not really exercise effective supervision over the mine, and if anything goes wrong there he is able to protect himself by the sub-manager, whom he has appointed, or who has been appointed by the owner. For the purpose of marking this I should like to draw attention to Section 51. If the right hon. and learned Gentleman the Home Secretary will refer to that section he will see these words—

"Every person who contravenes or does not comply with any of the general rules in this Act shall be guilty of an offence against this Act; and in the event of any contravention of, or non-compliance with, any of the said general rules in the case of any mine to which this Act applies, by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing, and to the best of his power enforcing the said rules as regulations for the working of the mine, to prevent such contravention or non-compliance."

I merely give that as an illustration. Supposing the head manager of a mine is summoned on account of something defective in the enforcement of these rules, he might very well protect himself by saying that he had given instructions to an under manager, who, after all, might not be sufficiently competent to carry out the work of supervision. Is this an idle complaint? It is a complaint about which there has been a great deal of feeling in the past, and though I quite agree as to the impracticability of the Amendment which is before the Committee at the present time —though I quite agree that an Amendment of this kind would be found far worse than leaving the Bill as it stands —I cannot help thinking that the right hon. and learned Gentleman the Home Secretary should suggest some plan by which a more direct personal liability can be thrown upon the manager. The right hon. and learned Gentleman is very familiar—if I may be allowed to congratulate him upon it—with authorities and cases bearing upon this question. There is an authority, which I cannot at present call to mind, which probably the right hon. and learned Gentleman will recollect, under which managers of mines have been held to be not responsible for offences committed under the present Act, because of their having deputed their authority to sub-managers. In this way managers have been able to protect themselves by their sub-managers. I would suggest to the right hon. and learned Gentleman whether, after all, he has not left out of sight the effect of Section 51 as an illustration of what is meant by my hon. Friend with regard to enforcing direct responsibility on the part of the head manager?

MR. ARTHUR O'CONNOR: If the right hon. and learned Gentleman would suggest a higher figure than 30—say 300—I should be willing to agree to the alteration, but I do believe that the general maximum in the administration of the colliery business is manifested by the fact that a man in nominal charge may have under him hundreds and thousands of lives in a large number of pits. To this is owing, to a large extent, the sacrifice of human life which has gone on so scandalously year after year in the coal-pits of the country. So far as I can I shall protest against this state of things, and I shall endeavour, to the best of

my ability, to remove all those dangers which at present are to be met with. I think there is a great source of danger lurking here, and I do not care how hon. Gentlemen get up and insinuate that I do not know anything about the matter. I shall do what I think right to protect the lives of these men. I believe that they are sacrificed needlessly and wickedly year after year in large numbers, and I believe that one of the causes is that you have not a proper system of superintendence, of management, and of inspection. What is the system advocated or proposed under this Bill? You will have first-class certificated managers who may manage goodness knows how many pits. These managers with first-class certificates will, no doubt, be first-class men in one sense—they will be first-class nigger-drivers. [" Oh, oh!"] Yes; first-class nigger-drivers. Many men are appointed over-men and under-managers because they are first-class nigger-drivers, and because the coalowners can by their exertions make a large amount of profit. [*Cries of* " Shame!"] It is true. No doubt it is a great " shame" to say this sort of thing about our contemporaries, but human nature is not different now to what it was 100 years ago. When it was proposed to take women out of the pits, where they were employed like beasts of burden, you had the managers coming forward and saying that the proposed change was opposed to the development of our industries, was a bad thing for the working classes, and that the interest of employers would be sacrificed. These people professed to come forward in the interests of the working classes, and the same thing is happening to-day. I say there are men in this country who have made millions out of the lives and limbs of their fellow-creatures. ["No, no!"] I say yes. The Report of the Inspector on the Rhondda Valley explosion showed that the accident was due to mismanagement and want of care. This lax system of divided responsibility ought not to be allowed. It is the duty of this Committee, in this as in other respects, to take every precaution to protect the lives of our miners. The right hon. and learned Gentleman says the mines shall be under the direct charge of first-class certificated managers. Well, who are these people? As I have said, they are nigger drivers; but what do they know about the principles of ventilation? Many of them can scarcely write an intelligible or grammatical report. Of course, those who own pits and minerals will disclaim all this sort of thing, but they cannot alter the facts. These first-class certificated managers are the sort of men I describe, and I maintain that they are not men who ought to be entrusted with the enormous responsibility of protecting the lives of the workmen in our pits. The first-class certificated managers have more in their hands than they can possibly do. Their field of business and of operations ought to be limited, so as to restrict them to an area which they can properly supervise. If this Committee does not choose to take upon itself the responsibility of restricting the operations of these persons, the blame must rest upon it. I, at any rate, have done my duty, and no responsibility can rest upon my shoulders.

SIR WILLIAM HARCOURT (Derby): I can neither agree with the Amendment of the hon. Member, or the arguments by which he has supported it. However, I consider this a most serious question in reference to the Bill. During the period I was responsible for the Mining Inspectors, there was no question more strongly urged than that of certificated managers having too many mines under their control. There was a very strong feeling indeed upon that point. I do not profess to say what ought to be the limit exactly; but I think it is a serious matter, and that we ought to consider whether there ought not to be some limitation adopted. As I understand the Home Secretary, however, he suggests that the first-class certificated managers should be left altogether at large with regard to the extent of their operations. Probably there was not an exact limit before; but still there was an impression that there should be a restraint as to the number of mines that a man with a first-class certificate should have under his control. Now we find that there is no limitation at all, and that there is no reason in the world why a man should not have 100 mines under his management. I am afraid, if you put it on that footing, that there will be a temptation to mine owners to employ very few first-class certificated managers, and those at comparatively

low salaries, to take charge of a large number of mines. The result of that would be that you would have not an increase but a decrease in the number of managers of mines with first-class certificates. If it is understood that a certificated manager of the first class may undertake the control of any number of mines, there will be a tendency to diminish the supply of that class of men. The right hon. and learned Gentleman the Home Secretary says that these managers will be responsible under the 22nd clause; but I think he will find it very difficult indeed to enforce that responsibility, if you once admit that these men are to be allowed to have an unlimited number of mines under their control. Whoever the authority is who has to enforce the penalties, it will surely look more or less at the fact that it has been recognized that these men may take charge of several mines, and need not be there themselves. In that way your responsibility will become illusory. If it is said that Parliament recognized that the sole supervision might rest with the other man, who is daily down the mines, and that the first-class certificated manager will only exercise a kind of superior inspection, you will find it difficult to fix responsibility upon that first-class certificated manager. I will ask the right hon. and learned Gentleman to consider whether it may not be possible, before the Bill leaves us, to put some restriction on the number of mines that a first-class certificated manager may have under his control. I am afraid that if you do not do that you will not be able to bring home responsibility.

MR. MATTHEWS: I am afraid, Sir, I did not succeed in making myself intelligible. The grievance, which was a real one, as the right hon. Gentleman and the hon. Gentleman have pointed out, arose from the old system of leaving the duty of inspection to be performed by the Inspectors sent out by the Home Secretary. There were managers; but it was competent for the same person to be the manager of several mines, whether or not they belonged to the same owner, provided the distance between each was not too great to enable them to exercise proper control and supervision over them. It was not incumbent on the manager to visit daily every mine under his management, provided that he received daily reports and exercised a continuous control over the conduct of the mine. That was the way the Home Office interpreted the existing Act, and that was the way in which the law was administered. That left the door open to a man to be manager of several mines at once. Well, my desire is to prevent that. I desire to compel the manager to be daily down the mine he manages, and never to leave a mine without daily visits from some competent person. I should have required that a manager holding a first-class certificate should make a daily visit, but I was told that the supply of such managers would run short. ["No, no!"] I hear an hon. Member opposite say "No!" All I can say is, that I appeal to practical men in the House from whom I got my information. I do not pretend to say that I know these things from my own experience. I speak from what I have heard from those who have abundant experience, and I say that I have been informed that it would be impossible to get first-class certificated managers to go daily down the mines. If that is not true, the clause can be modified. If it is true, I invite the Committee to say whether it can do better than I have done in Clause 22, where I have said that you shall have a daily visit of the mine by either a first-class man or a second-class man, but one or the other you shall have. I propose that, although one of them may not be bound to visit daily, the other one shall be so bound. I have secured the daily presence of some duly qualified person in the mine, and I have insisted that that person shall be, at least, a second-class certificate holder. That implies inferiority in those qualities of scholarship which will distinguish the first-class certificate holder; but, for purposes of inspection, such qualities may be considered, perhaps, more ornamental than useful. I think I have gone beyond what the right hon. Gentleman opposite says is necessary. Not only have I limited the number of pits which a man can manage, but I have insisted that at least one competent man shall go down the pit every day.

MR. W. ABRAHAM (Glamorgan, Rhondda): I cannot allow this matter to end without entering my solemn protest against the capabilities of managers being reduced. With all respect to what the right hon. and learned Gentleman

has urged upon the Committee, we are firmly of this opinion—that if this Bill passes in its present shape it will vastly decrease the number of first-class colliery managers in this country, and will increase the number of second-class managers, and practical men know very well what that must mean. We enter our protest against it. There is a matter which is not plain to me yet. I should like to know whether the first-class manager is to be responsible for the omissions as well as for the neglect of the second-class manager? If not, how is the daily supervision to be effected? I will give you a case. It is necessary to give an extreme case in order to clear up the point. I could name to you a manager——

THE CHAIRMAN: Order, order!

It being ten minutes to Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *To-morrow.*

CHRISTCHURCH (SOUTHAMPTON) CHARTER (CORRECTION OF ERROR) BILL [*Lords*].—[BILL 209.]

(*Sir William Hart Dyke.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Short title).

MR. CONYBEARE (Cornwall, Camborne): I want to ask for information on this Bill. I want to know under what circumstances a town like Loughborough can obtain a charter? I have been appealed to to bring this matter forward. It does not appear to the people of Loughborough under what circumstances this takes place.

Clause *agreed to.*

THE CHAIRMAN: The Question is, "That I report this Bill to the House."

DR. TANNER (Cork Co., Mid): Before this Bill is reported, I should like to ask the right hon. Gentleman opposite, who appears to be in charge of the measure (Sir William Hart Dyke), if he would give us some account of the extraordinary error which seems to have been allowed to take place? I am led to believe that, practically speaking, the measure was introduced by the late Government. As time advanced, it was found out that the limits which were marked down in the first Bill—confining the Bill to the district originally sought to be included—were exceeded. I found that a number of Gentlemen who put their names down in connection with the Bill did not understand the bearings of the question, and I sincerely hope that before the Report stage is taken the right hon. Gentleman in charge of the Bill will make a statement, and give us some information upon the point. It seems to me an extraordinary thing that, even in connection with such a matter as this, a Bill cannot be drawn up without these stupid errors and blunders. I sincerely hope that in future, in order to avoid these tedious delays, Bills will be framed in a proper way. On two separate occasions I have ventured to ask for information with regard to this Bill, but the Government have not deigned to give it. I hope that before the Report stage, however, the Government will abandon their present attitude.

Question put, and *agreed to.*

Bill *reported*, without Amendment; to be read the third time upon *Monday* next.

BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that after that day it would, he thought, be convenient for the House to commence Public Business at a quarter-past 4 o'clock, instead of at half-past 4, as heretofore. The condition of Private Business was so far advanced as to enable that course to be adopted; and he, therefore, desired to inform the House that on Monday next he proposed to commence Public Business at a quarter-past 4 o'clock instead of half-past.

SIR JOSEPH PEASE (Durham, Barnard Castle) asked, whether the right hon. Gentleman could state when the Mines Regulation Bill would again be taken up? There was, he thought, a general indisposition to continue the discussion that evening.

MR. W. H. SMITH, in reply, said, he had hoped that the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) would have given way, with regard to the Motion he had on the Paper on going into Committee of Supply for that evening, in order that

the Bill in question might be taken at 9 o'clock. He (Mr. W. H. Smith) must, however, admit that the House had been very intently occupied with the Bill for the last three days, and he did not wish to press it on the consideration of hon. Members, if they were not disposed to proceed with it. If it was not taken that evening, it was not in his power to say when it would be taken. The Criminal Law Amendment Bill must be taken on Monday, in accordance with the engagement which he had made with the House, and until Progress had been made with the Report stage of that Bill he would be unable to say when the Coal Mines Regulation Bill would be taken. But when it was taken up again, after sufficient Notice to hon. Members who were interested in it, he proposed to go on with it to the end.

MR. CONYBEARE (Cornwall, Camborne) said, he would certainly not stand in the way of the miners, or those who represented them, and he would have given way if he had been officially approached on the subject. But he understood that his hon. Friends more specially interested in this Bill did not desire it. He should, however, have declined, if he had been asked to give way simply for the purpose of bringing on Supply.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 27th June, 1887.

MINUTES.]—PUBLIC BILL—*Committee*—Land Transfer (*re-comm.*) (105).

PROVISIONAL ORDER BILLS—*First Reading*—Metropolis (Cable Street, Shadwell)* (134); Metropolis (Shelton Street, St. Giles)* (135); Oyster and Mussel Fisheries* (136); Pier and Harbour (No. 2)* (137).

Second Reading—Local Government (No. 3)* (124); Local Government (No. 4)* (125).

Third Reading—Local Government (Poor Law) (No. 3)* (118); Local Government (Gas)* (119); Local Government (No. 2)* (120), and *passed.*

THE EARL OF MAR.

Petition of; for an investigation into the connection between the Mar estates and the ancient Mar dignity, with a view to a re-hearing of his right to the estates of Mar; read, and ordered to lie on the Table.

LAND TRANSFER BILL.—(No. 105.)

(*The Lord Chancellor.*)

COMMITTEE.

House again in Committee (on Recommitment) (according to Order).

Clauses 11 and 12 severally *agreed to.*

Clause 13 (Confirmation of title at expiration of time).

LORD HERSCHELL, in moving to amend the clause by inserting after the word "and," in line 21, the words "if they are of opinion that the title should be confirmed," said, its object was to enable the Land Transfer Board to exercise a discretion in the confirmation of registered titles.

Amendment *moved*, in page 7, line 21, after the word ("and") insert ("if they are of opinion that the title should be confirmed").—(*The Lord Herschell.*)

THE LORD CHANCELLOR (Lord HALSBURY) said, he decidedly objected to the Amendment, on the ground that it struck at the root of the principle of the Bill, which was that five years' registration should give a good title.

LORD HERSCHELL said, that the object of the clause was to give a person, after five years' registration, a good title against all the world. If that was also the intention of the House, their Lordships had better say so directly and plainly. The clause would deprive many people, for no fault of their own, of property to which they undoubtedly had a good title; and, in his opinion, it was undesirable to take land belonging to one man and to give it to another. The provision, moreover, was regarded by many as an exceedingly dangerous one.

LORD HALSBURY said, he could not accept the Amendment.

LORD HERSCHELL said, that being so, he would ask whether his noble and learned Friend would accept an Amendment in these words—"shall unless they are of opinion that the title ought not to be confirmed?"

LORD HALSBURY said, he would like to have some time between then and the Report stage to consider the suggestion.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 14 *agreed to.*

Clause 15 (Persons under incapacity).

LORD HERSCHELL, in moving an Amendment, in page 8, lines 25 and 26, to omit the words "in the service of the Crown," said, the clause was one which provided for a Petition being presented against confirmation of title by persons under an incapacity, and it protected the rights of one absent from the United Kingdom in the service of the Crown. He did not see why a person should not be allowed to present a Petition on behalf of a man absent from the United Kingdom, though not in the service of the Crown.

Amendment *moved,* in page 8, lines 25 and 26, to leave out ("in the service of the Crown").—(*The Lord Herschell.*)

LORD HALSBURY said, that the object was to make it the duty of some official to take care that the rights of a person absent on the public service should be protected. He would not, however, object to strike out the words.

Amendment *agreed to;* words *left out.*

Clause, as amended, *agreed to.*

Clauses 16 to 19, inclusive, *agreed to.*

Clause 20 (Power to establish insurance fund).

LORD HERSCHELL, in moving an Amendment, said, it was in order to make the 1st section of the clause provide that there should be established, in accordance with the scheme in the first schedule of the Bill, an insurance fund, to be raised out of insurance fees payable on registered transactions relating to land; and there should be paid out of the fund, in accordance with the provisions of the scheme, compensation for any loss suffered by any person in respect of registered land, which arises from an entry in the register obtained by forgery or fraud, or from any error on the part of the Land Transfer Board or its officers, or from any of the other matters in the scheme mentioned.

Amendment *moved,* in page 12, line 3, to leave out from ("and for which") to the end of the sub-section.—(*The Lord Herschell.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 21 (Amendment of 38 & 39 Vict. c. 87, ss. 95 & 96, as to the rectification of the register).

LORD HERSCHELL, in moving an Amendment, providing that on special cause being shown the Court might, if it should think it equitable under the circumstances, order that the land should remain as registered, and that compensation should be paid to the person who had been deprived out of the insurance fund, said, that if the person in possession had expended a large sum on the land it might be inequitable to dispossess him, and in that case the Court should have power to leave him in possession, and to give compensation to the person who had been deprived. That would leave the Court free to consider all the equities of the case.

Amendment *moved,*

In page 12, line 30, add, at end of sub-section—("Provided nevertheless that, on special cause shown, the Court may, if the Court shall think it equitable under the circumstances, order that the land shall remain as registered, and that compensation shall be paid to that person out of the insurance fund".)—(*The Lord Herschell.*)

LORD HALSBURY said, that in view of all the equities of the case being taken into consideration, he was not at all in conflict with the principle of the Amendment. He should, however, have thought the better way would have been to have left it absolutely to the Court to consider all the circumstances, and determine whether most justice would be done by restoring the land to the owner, or by leaving it with the person in possession. If no objection were offered he would accept the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 22 to 38, inclusive, *agreed to.*

Clause 39 (Succession to real estate on intestacy).

LORD HERSCHELL, in proposing an Amendment upon the clause, said, that he had hoped real estate would be placed on the same footing as personal estate; but he now saw that this difference was made—that whereas in personal estate one-third went to the wife in case of intestacy and the remainder to the children, here it was proposed that the whole should go to the wife for life, and there was no provision for the children until her death. Why should these differences be perpetuated as proposed in the clause? The children might not be the wife's children, or the widow might marry again, and he could not see sufficient reason for this distinction between realty and personalty.

Amendment *moved*, in page 19, line 30, after ("the same persons") insert ("and in the same shares and proportions").—(*The Lord Herschell.*)

LORD HALSBURY said, he would admit that there was a great deal of force in the arguments of the noble and learned Lord; but, at the same time, the distinction between realty and personalty was one which existed in fact, and one with which they must deal.

THE EARL OF FEVERSHAM said, he was decidedly of opinion that the measure would not be of any benefit to the agricultural interest, which was now so much depressed; while, in some cases, it would prove prejudicial to it. Small proprietors of land were not in the habit of making wills; they were satisfined with the law as it stood; and they wished their small properties, many of which had been in their families for many years, still to remain in their families. The probable effect of the measure would be that those smaller properties would fall into the hands of the large proprietors—a result which he imagined could not be the object of their Lordships to produce.

LORD HALSBURY said, he thought that the remarks of the noble Earl who spoke last (the Earl of Feversham) would have been more appropriate on the second reading of the Bill. He (Lord Halsbury) did not think that the measure would have any great operation in the direction contemplated by the noble Earl, for this reason—that it was obvious that when a person could direct where his property should go by writing a single word in the presence of two witnesses, it must be a spirit of great indolence indeed that prevented him from doing what he desired in the matter. He did not attach any political importance to that change in the law, and did not believe that it would have much operation; but, beyond those recommendations in favour of the proposal, all the authorities described it as absolutely essential to make any system of land registration work that that provision should be included in the Bill.

THE EARL OF KIMBERLEY said, he, for one, at all events, was not so sure that the provision would operate to so small an extent as anticipated by the noble and learned Lord (Lord Halsbury). He (the Earl of Kimberley) imagined his noble and learned Friend had not taken account of the lunatics and minors who inherited estates, and who, of course, could not make wills. He quite agreed that if they were about to abolish the distinction between realty and personalty, they should do it more completely and in a better manner than the Bill proposed.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, that all proposals hitherto made for the assimilation of the law governing the succession to real property, in case of intestacy, to that of personalty had been objected to by those who thought with him, not because the proposals were not sound, but because they had been brought forward for a political object. Now, however, the present proposal was made as an essential part of an alteration in the Law of Land Registration, and, in doing so, they did not seek any expression of opinion from Parliament as to the expediency or otherwise of primogeniture and the existing law of succession to real property. He thought that the custom in regard to estates of moderate and larger size of leaving them to the eldest son was likely to continue, and was not likely to be interfered with by the Bill; but the clause would in the case of very small estates, tend to prevent injustice; and it was in the case of the smaller estates and among the less educated classes that the existing law was more likely to come into operation. He did not think, however, that the proposals in the Bill would make much

difference in the succession to landed property. The present law represented the feeling of those who possessed landed estates, and who generally desired that they should descend to the eldest son. That was a feeling which was also shared by the owners of estates of moderate size, and he did not believe it could be interfered with by legislation. If Parliament had to make a will for a man, it should, he thought, make it as nearly as possible such as he would himself have made it. He did not, however, see his way absolutely to frame a system which should exactly represent in every case the will which each individual man would make; but the proposal contained in the Bill was as fair a proposal as they could devise, and one that was not likely to operate unjustly.

LORD HERSCHELL said, that it was a great satisfaction to him to hear the same arguments now repeated by the noble Marquess that he (Lord Herschell) and others had put forward years ago.

THE MARQUESS OF SALISBURY: I can, at all events, assure the noble and learned Lord that I have not plagiarized him.

LORD HERSCHELL said, he was sure the noble Marquess had not done any such thing; but, however it might be, it was a satisfaction to him (Lord Herschell) to hear the same argument, though more happily and forcibly, advanced by the noble Marquess that he and others put forward 10 years ago. If the present law were bad, the injustice and hardship referred to existed 10 years ago, and those who then advocated its alteration were entitled to full credit for their efforts. With reference to this change in the law, he was satisfied that the number of cases in which it would operate on estates of considerable size was very small indeed. Indeed, its operation in the vast majority of cases would be on small pieces of land. When he was Law Officer to the Crown, nothing struck him more than the large number of persons possessed of small freeholds dying intestate who, having no heirs, had their lands escheated to the Crown. Those, no doubt, were typical of a great number of cases.

LORD COLCHESTER said, he wished to express his concurrence with the views of the noble Earl below the Gangway (the Earl of Feversham). He (Lord Colchester) could not help thinking that those who desired this clause throughout the country only regarded it as a step to something much greater. In his opinion, if this principle was now to be accepted on the ground that the opinion of the country had changed, their Lordships should not proceed with a measure of this character until it had been adopted by the House of Commons.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, he did not agree with the observation of the noble Lord (Lord Colchester) who had just sat down that their Lordships ought to wait until it could be said that the House had legislated under pressure put upon them by the House of Commons to effect this change in the law. This clause of the Bill made no change which their Lordships might not readily assent to.

EARL SPENCER said, that, as some allusion had been made to the practical effect of this clause, he should like to instance the fact that came before him when considering the question of Land Purchase in Ireland. The fact was brought to his notice that when an occupier of land suddenly found himself in possession as owner, he seldom was in the habit of making a will, and thus, contrary to his original intention, the whole property went to his eldest son.

On Question? Their Lordships *divided*: —Contents 23; Not-Contents 32: Majority 9.

CONTENTS.

Camperdown, E.	Calthorpe, L.
Clarendon, E.	Coleridge, L.
Doncaster, E. (*D. Buccleuch and Queensberry.*)	Herries, L.
	Herschell, L. [*Teller.*]
Kimberley, E.	Houghton, L.
Macclesfield, E.	Kensington, L.
Powis, E.	Monkswell, L.
Spencer, E.	North, L.
Strafford, E.	Rosebery, L. (*E. Rosebery.*)
	Somerton, L. (*E. Normanton.*)
Oxenbridge, V. [*Teller.*]	Sudeley, L.
	Thring, L.
Abinger, L.	Vernon, L.

NOT-CONTENTS.

Halsbury, L. (*L. Chancellor.*)	Bristol, M.
	Salisbury, M.
Cranbrook, V. (*L. President.*)	Mount Edgcumbe, E. (*L. Steward.*)
Cadogan, E. (*L. Privy Seal.*)	Belmore, E.
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Buckinghamand Chandos, D.	Fortescue, E.
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Romney, E.
Waldegrave, E.

Cross, V.

Balfour of Burley, L.
Clinton, L.
Colchester, L.
Foxford, L. (*E. Limerick.*) [*Teller.*]
Harris, L.
Hillingdon, L.
Ker, L. (*M. Lothian.*)
Kintore, L. (*E. Kintore.*) [*Teller.*]
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Stewart of Garlies, L. (*E. Galloway.*)
Ventry, L.
Wigan, L. (*E. Crawford and Balcarres.*)
Winmarleigh, L.

Amendment *disagreed to.*

Clause *agreed to.*

Remaining Clauses *agreed to.*

SCHEDULES.

Schedule I.

On the Motion of The Lord HERSCHELL, the following Amendments made:—In page 33, line 13, insert as a separate Proviso—

("Provided also that for the purposes of this schedule a marriage or other family arrangement shall not be deemed valuable consideration");

and in line 44, add—

"(*k.*) Any proprietor may on the prescribed conditions, increase the amount of his insurance to correspond with any increase in the value of his land that may take place from time to time."

Schedule, as amended, *agreed to.*

Schedule 2 *agreed to.*

The Report of the Amendments to be received on *Monday* next.

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 27th June, 1887.

MINUTES.]—SUPPLY—*considered in Committee*—*Resolutions* [June 20] *reported.*

WAYS AND MEANS—*considered in Committee*—£13,675,659, Consolidated Fund.

PUBLIC BILLS—*Second Reading*—Law Agents (Scotland) Act (1873) Amendment [284].

Committee—*Report*—Pauper Lunatic Asylums (Ireland) (Superannuation) [62].

Considered as amended—Criminal Law Amendment (Ireland) [290] [*First Night*]; Customs and Inland Revenue [241].

Third Reading—National Debt and Local Loans* [266]; Christchurch (Southampton) Charter (Correction of Error)* [209]; First Offenders [132-189], and *passed.*

PROVISIONAL ORDER BILLS—*Ordered*—*First Reading*—Local Government (No. 9)* [296].

First Reading—Elementary Education Confirmation (Christchurch)* [297]; Elementary Education Confirmation (London)* [298].

QUESTIONS.

LAW AND JUSTICE—THE ASSIZE SYSTEM FOR CIVIL BUSINESS.

MR. PITT-LEWIS (Devon, Barnstaple) asked the Secretary of State for the Home Department, Whether a majority of the Judges have recently agreed to a scheme under which the Assize system for civil business, as it has existed for many centuries, will practically be swept away, the number of Assize towns for civil business reduced to two on each Circuit, many important local centres, such, for example, as Winchester, and nearly all the Assize towns on the South Eastern Circuit, wholly deprived of Civil Assizes, and a greatly increased burden cast upon jurors for London and Middlesex; whether there is any objection to lay the proposed scheme upon the Table forthwith, together with a statement of the names of the Judges approving of or dissenting from it; whether it is proposed to bring the scheme into operation without previously obtaining its sanction by Act of Parliament; and, if so, whether he will explain what existing legislation it is that empowers this to be done; and, whether before the scheme is carried into effect, a convenient opportunity will be afforded by the Government for its being discussed in Parliament?

THE UNDER SECRETARY OF STATE (Mr STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: The Secretary of State believes that the whole subject of the Assizes has been for a considerable time under the consideration of the Lord Chancellor and the Judges. No scheme would be brought into operation without affording Parliament the oppportunity of considering it.

MR. PITT-LEWIS subsequently asked, whether it was proposed to effect the changes referred to in his Question by Order in Council, in the same manner as changes were effected under the Judicature Acts; and whether the House would be given full opportunity for discussion?

MR. STUART-WORTLEY said, that the mode in which the scheme would be brought into operation must depend upon the nature of the scheme itself.

MR. PITT-LEWIS said, he hoped that the discussion of the subject would take place before the legal Members of the House left town to go on Circuit.

MR. BOWEN ROWLANDS (Cardiganshire) remarked that as such important alterations were contemplated, affecting both the Profession and the public, the Government ought to afford facilities for the discussion of the subject.

SIR HENRY SELWIN-IBBETSON (Essex, Epping) asked whether the First Lord of the Treasury could not give an assurance that time would be given for discussing the Order in Council that would, he presumed, be issued?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, that the right hon. Member must know well the difficulties which the present state of Public Business placed in the way of the Government. He could not now do more than undertake to consult with the Lord Chancellor and the Legal Authorities on the subject to which attention had been drawn. After inquiry he would see what arrangement could be made.

LAW AND JUSTICE—DEBTORS (SCOTLAND) ACT—JAMES FERRIER.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, Whether it is true that, at his examination in bankruptcy at Glasgow, last October, James Ferrier, jeweller, admitted having, within 18 months of his bankruptcy, pledged jewellery, which he had obtained on credit, to the amount of £1,300; whether, in consequence, the Sheriff reported Ferrier, in the terms of the Debtors (Scotland) Act, to the criminal authorities; why no proceedings were taken against him under that statute; whether it is true that, after six months' delay, Ferrier was, in connection with these same transactions, brought before the High Court of Justiciary, on a charge of falsehood, fraud, and wilful imposition, and of theft, and that he pleaded guilty to the former charge; whether the Advocate Depute thereupon stated that, the goods pledged having been recovered, he would not move for sentence, and Ferrier was discharged; whether it is true that goods worth over £700, belonging to one firm of creditors, obtained on credit, pledged by Ferrier, have not been recovered; and, on what grounds the Crown authorities in this case took upon themselves to refuse their sanction to the operation of the provisions of Scottish Statute and Common Law, for the prevention of fraudulent bankruptcy?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The answer to the first, second, fourth and fifth Questions is, yes; and to the third, that there was not evidence to support a charge under this Statute. As regards the sixth Question, the claim of the firm referred to consisted of bills, I O U's, and an open account for a small sum, and was that of an ordinary creditor not falling under the Statute; and as none of their goods were got within four months of sequestration the Statute did not apply. My answer to the last Question is that the case did not fall under the Fraudulent Bankruptcy Laws.

LAW AND JUSTICE — THE FENIAN MOVEMENT—MILITARY PRISONERS.

MR. P. O'BRIEN (Monaghan, N.) asked the Secretary of State for the Home Department, Whether there are any military prisoners now confined for complicity in the Fenian movement; and, if so, whether he has any objection to give the names, date of committal, and term of sentence of such prisoners, and to state whether they are included in the amnesty to military offenders which Her Majesty has proclaimed in connection with Her Jubilee?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: There are no military prisoners now confined for complicity in the Fenian movements in convict prisons in England. Such prisoners would certainly not be included in the terms of the amnesty referred to.

MR. P. O'BRIEN inquired whether any of them were in prison in Ireland?

MR. STUART-WORTLEY asked for Notice of the Question.

VENEZUELA—THE "JOSEPHINE" AND "HENRIETTA."

MR. KIMBER (Wandsworth) asked the Under Secretary of State for Foreign Affairs, Whether the suspension of diplomatic relations with Venezuela involves as a consequence that the British subjects, the captain, crew, and passengers of the British vessels *Josephine* and *Henrietta*, whose claims for personal ill-treatment and false imprisonment and pecuniary loss were admitted and forwarded by the British Minister now four years ago, must go unredressed; and, whether the British Colonists of Trinidad, and other British Colonies similarly situate, are to understand that they must henceforth look out for themselves, and redress their own injuries, and cease to look for protection from their Mother Country?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The suspension of diplomatic relations with this country by the President of Venezuela does not in any way cancel or invalidate the claims of British subjects against the Republic. There is no intention on the part of Her Majesty's Government of ceasing to give to British Colonial subjects the protection which has always been extended to them by the Government of this country. Her Majesty's Government are considering the means of procuring a proper settlement of claims which have been too long disregarded.

ADMIRALTY—H.M.SS. "SULTAN" AND "INFLEXIBLE"—SERVICE AMMUNITION.

CAPTAIN COTTON (Cheshire, Wirral) asked the First Lord of the Admiralty, Whether he will lay before the House a Return showing the exact amount of service ammunition of all kinds remaining on board H.M.S. *Sultan* and *Inflexible* at the conclusion of the two days' operations before Alexandria in July 1882?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said: The exact Return asked for can and shall be laid in the case of the *Sultan*, which is still in commission. As regards the *Inflexible*, the ship having long since been paid off, the gunner's accounts have been pulped in the usual course; but we will give the best approximate Return we can.

ARMY—GARRISON BRIGADES OF THE ROYAL ARTILLERY.

CAPTAIN COTTON (Cheshire, Wirral) asked the Secretary of State for War, What is the present actual rate of Home and Foreign Service respectively in the garrison brigades of the Royal Artillery?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said: At present garrison batteries are having from five and a-half to seven years' service at home against 13 and upwards abroad; but the despatch of six additional batteries to India brings down the home service of two of them to four years only.

WAR OFFICE (ORDNANCE DEPARTMENT) — QUICK-FIRING MACHINE GUNS.

CAPTAIN COTTON (Cheshire, Wirral) asked the Surveyor General of the Ordnance, What are the exact descriptions and patterns of those quick-firing machine guns which "jammed," or otherwise failed, during the firing carried on before the Members of the House of Commons at Portsmouth on the 11th June last?

THE SURVEYOR GENERAL (Mr. NORTHCOTE) (Exeter): I am informed by the Admiralty that the jams referred to occurred with experimental guns only—namely, the Maxim gun and the improved Gatling, and the Hotchkiss of 53 millimetres.

SIR CHARLES PALMER (Durham, Jarrow): Arising out of the answer of the hon. Gentleman, I wish to ask whether the authorities at Portsmouth, on the firing of the Maxim gun, did not reject the instructions and aid of the representative of Maxim, who was present to fire the gun; and whether it was not fired by seamen who had not been made acquainted with its use, and that the jamming arose through their ignorance of the system?

MR. NORTHCOTE: That is rather a question for the Admiralty. Perhaps the hon. Gentleman will give Notice of it.

LOCAL TAXATION RETURNS (SCOTLAND).

GENERAL SIR GEORGE BALFOUR (Kincardine) asked the Lord Advocate, To state what additional means are needed to enable the Department of the Secretary for Scotland to render the Local Taxation Returns more speedily than the Returns for 1884-5 have been presented?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It has been the wish of the Secretary for Scotland to undertake the compilation of these Returns by his own staff; but, as it is unable to undertake the work, he has been compelled to have it done as formerly, through the Crown Agent and the Board of Supervision, which necessarily takes longer time than would otherwise be the case.

THE MAGISTRACY (IRELAND)—CORONERSHIP OF WESTMEATH.

MR. D. SULLIVAN (Westmeath, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the vacancy for the Coronership in the County of Westmeath has now existed for several months; and, if he will state the cause of the delay in electing another Coroner?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The vacancy in the Coronership of the County Westmeath has existed for several months. The delay in electing another Coroner is due to the fact that on the occurrence of the vacancy a desire was expressed on behalf of some of the electors of the county that further facilities should be given for the recording of votes by having additional polling places appointed in convenient districts, and they submitted a Memorial to the Lord Lieutenant with that view; but being informal in not complying with the requirement of the Act of Parliament, no action could be taken on it. It was expected that a further Memorial in the proper form would have been sent in; but, so far, such has not been done. A case having been laid before the Law Officers with regard to the existing Justices order consolidating the County Westmeath into one Coroner's district, they have advised that, as the order omits to prescribe any place for the election of Coroner, or polling places, the warrant for a new election cannot issue until the Justices make an order supplementing these defects. This can be done under Section 4 of the Coroners Act; and on the Justices presenting the necessary Memorial, His Excellency will at once authorize a Special Sessions required for the purpose. All matters connected with the appointment of Coroners' districts and polling places rest with the local Justices, and His Excellency has no initiative power in the matter.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — HIS HOLINESS THE POPE'S REPRESENTATIVES PRESENTED AT COURT.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked the Under Secretary of State for Foreign Affairs, Whether the statement in *The Gazette* that, on the 20th June, the Master of the Ceremonies, the Marquess of Salisbury being present, presented to Her Majesty the Representatives of His Holiness the Pope, and, in that respect, placed the Pope's Representatives in the same category as the Representatives of great European Powers, but preceding them all, has any political significance; whether the precedence given to the Representatives of the Pope was in any degree a concession to the old claim of the Pope to rank before the Heads of mere Temporal States; whether the functions of the Representatives of the Pope are entirely confined to congratulations on Her Majesty's Jubilee; whether they are permitted to touch on political or ecclesiastical affairs, contrary to the law against Diplomatic relations with the Bishop of Rome; and, whether any other great Ecclesiastics, Christian, Mahommedan, Hindoo, Buddhist, or other have sought to congratulate Her Majesty, and are permitted to do so, in similar form?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The order in which Her Majesty received the felicitations which were conveyed to Her by the various Ambassadors and Envoys Extraordinary was devoid of any political significance. The Papal Envoy was received at a somewhat earlier hour of the day than some of the Ambassadors; and the

audiences are printed in *The Court Circular*, I presume, in the order in which they actually occurred. The official order will, no doubt, appear in *The Gazette*. The mission of Monsignore Russo-Scilla is confined to conveying the Pope's congratulations to Her Majesty. I am not aware of the statutory enactment referred to by the hon. Gentleman. Whether His Imperial Majesty the Sultan can properly be called a great Mahommedan Ecclesiastic I am not able to say.

SIR GEORGE CAMPBELL: May I explain that I never suggested that the Sultan was a great ecclesiastic? Am I to understand that the right hon. Gentleman has answered distinctly in the negative the question whether the Pope's Representatives were allowed to touch on political or ecclesiastical affairs, contrary to the law against Diplomatic relations with the Bishop of Rome? Would the Moderator of the Free Church of Scotland, or the Brahmin Head of Benares, the Grand Imaum of Mecca, be allowed to approach Her Majesty in similar form?

SIR JAMES FERGUSSON: I was obliged to attach some meaning to the question of the hon. Member, and there was no other Foreign Potentate represented at the time to whom such ecclesiastical designation could apply. The Moderator of the Free Church of Scotland does not come under the category of a Foreign Potentate. With regard to the categorical question, whether the Papal Envoy was permitted to enter into political or ecclesiastical affairs, any reply of that question would be unsuitable to the Representative of a graceful mission.

POST OFFICE (IRELAND)—MAIL ACCOMMODATION IN CO. DOWN.

MR. M'CARTAN (Down, S.) asked the Postmaster General, with reference to the increased mail accommodation required between Belfast and Newtownards, Downpatrick, Ballinahinch, and other towns in the County of Down, Whether he has yet made arrangements for supplying this want; and, whether he will state the cause of the delay in making such arrangements?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, the delay had arisen from the Railway Company asking a larger payment for the improved service than the circumstances would warrant. He was not without hope, however, that the result of the negotiations which had been so long protracted, and which were still pending, would be to bring about a settlement on mutually satisfactory terms.

RAILWAYS—FATAL ACCIDENT AT STIRLING.

MR. CAMBELL - BANNERMAN (Stirling, &c.) asked the Secretary to the Board of Trade, Whether the attention of the Department has been drawn to the fact that, on the 20th instant, a man was run over by an engine at the level crossing in the town of Stirling, where two separate lines of railway run side by side across a public street; and, whether the many accidents which have occurred, owing to this dangerous arrangement of the railway lines, furnish ground for the serious interference of the Board of Trade, with a view to compel the erection of a bridge for the accommodation of the street traffic?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Board of Trade have received a Report respecting the case of a man named Drummond, who was injured while crossing the level crossing at Stirling. There is a foot-bridge which he ought to have used, and he was warned of the approach of a train; but he made a dash across the line, and was knocked down by an engine. In 1882 the Board directed one of their Inspecting Officers to make an inquiry; and he reported that the crossing, in its existing state, was exceedingly dangerous, and that a bridge ought to be substituted for it with as little delay as possible. The Board have repeatedly urged the Companies to substitute a bridge at this dangerous crossing; but they have no power to compel the Companies to undertake the necessary work.

CONTAGIOUS DISEASES (ANIMALS) ACTS—FREE ADMISSION OF DUTCH CATTLE.

MR. MONTAGU (Tower Hamlets, Whitechapel) asked the Chancellor of the Duchy of Lancaster, Whether he is aware that no case of pleuro-pneumonia has occurred among cattle in Holland since May, 1885, and no case of foot-and-mouth desease since October, 1885; and, whether Dutch cattle will be allowed

free admission to this country immediately upon the stoppage of the transit through Holland of sheep from Germany?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: Two cases of pleuro-pneumonia have occurred in Holland since May, 1885. The last case happened a few weeks ago. Under these circumstances, the question of the free admission of Dutch cattle into this country has not been further considered.

THE CHARITY COMMISSIONERS—TONBRIDGE SCHOOL.

MR. CONYBEARE (Cornwall, Camborne) asked the Vice President of the Committee of Council on Education, Whether he will arrange for representatives of the inhabitants of Tonbridge to be present at the conference which he proposes should take place between the Charity Commissioners and the Governors of Tonbridge School?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): I have no power to make any such arrangement as that suggested. The proposal to hold the conference emanated from the Charity Commissioners; and though it would be premature at the present moment to invite the opinion of the inhabitants of Tonbridge, I have no doubt that their wishes will be fully consulted in any steps that the Commissioners may ultimately take.

LAND PURCHASE COMMISSIONERS—MR. J. H. PAYNE, CO. CORK.

MR. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. James H. Payne, an extensive land agent and landed proprietor in the County Cork, in whose case the Land Purchase Commissions refused to grant the amount of purchase he had got several of his tenants to agree to in respect of their farms, was informed through the Commissioners' office of the value the Commissioners' official valuer had set on the respective farms; whether the information has been since availed of by Mr. Payne to require any of the tenants to purchase up to that price; whether the Commissioners' Rules sanction the giving of such information; and, how long has it been the practice of the office to give such information?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, that the Commissioners reported that it was not a fact that Mr. Payne was informed through their office of the value which their Inspector placed on these holdings. The decision as to the sufficiency of the security for the amount applied for was made not by the Inspector but by the Commissioners, on full consideration of the facts of each case. At first it was the custom of the Commissioners, when they deemed the security insufficient, simply to refuse the application for the advance; but for nearly a year it had been deemed convenient to state, for the advantage of all parties concerned, if they so desired, the sum which the Commissioners would be willing to advance. This information was given in Mr. Payne's case, and several applications had since been received for the reduced amounts.

LAW AND POLICE (IRELAND)—JOHN M'CREA, BELFAST.

MR. DE COBAIN (Belfast, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention had been drawn to the penalty inflicted upon a man called John McCrea, of Ballynafugh, Belfast, for refusing to give his name to a tram conductor, who was fined £5, with an alternative of two and a-half months' imprisonment; whether the Resident Magistrates, by whom the fine was imposed, enjoy the privilege of travelling free by the trams at present; and, whether complaints have reached him that the bye-laws, which prevent overcrowding of tram cars in Belfast, have become practically inoperative, since the Police Force have been largely favoured with free travelling by those who have the management of the tram service in Belfast?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, that Colonel Forbes, the Resident Magistrate who heard the case, reported that it was not for refusing to give his name that the man was fined, but for persistently and wilfully obstructing the servants of the Tramway Company. The Resident Magistrate had not the

privilege of travelling free. When he took up duty in Belfast the privilege of travelling free was offered to him by the Company; but he declined it, and pays an annual subscription. The police were not favoured with the privilege of travelling free. A policeman enjoyed the privilege only in a case of emergency in the discharge of his duty. The Town Inspector reported that the police had the most positive orders to enforce the bye-laws; but that, owing to the excellent manner in which the service was conducted, very little overcrowding occurred.

BURMAH (UPPER)—THE RUBY MINES.

MR. BRADLAUGH (Northampton) asked the Under Secretary of State for India, If he can now say whether Captain Jackson, a representative of Messrs. Streeter, was escorted to the Ruby Mines, with staff and machinery for working the mines; whether Captain Jackson remained at the Ruby Mines with his staff and machinery, and is still there; and, whether he is working the mines, and under what conditions?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): Until the receipt of the Papers now on their way from India, the Secretary of State cannot give any information as to the movements of Captain Jackson, nor any further information upon other points connected with the Ruby Mines. The Viceroy, however, has telegraphed that no lease or mining rights of any sort or description have been granted to Messrs. Streeter's syndicate, nor are their agents at work on the mines.

MR. BRADLAUGH asked, whether the hon. and learned Gentleman was aware that the Under Secretary of State for Foreign Affairs promised the other evening that a telegram should be sent to India in order to ascertain whether Captain Jackson had started with machinery and a staff for the purpose of working the mines?

SIR JOHN GORST said, that the Government had telegraphed for certain information; but the details required by the hon. Gentleman would, no doubt, be found in the Papers now on their way to England.

MR. BRADLAUGH: The Under Secretary of State for Foreign Affairs undertook that if I furnished the particulars in writing a telegram asking for the information should be sent.

SIR JOHN GORST: I regret that there should have been any misunderstanding with the Under Secretary of State for Foreign Affairs during my absence, and anything he undertook to do should certainly be carried out.

WALES — THE TITHE AGITATION — THE DISTURBANCES AT MOCHDRE.

MR. OSBORNE MORGAN (Denbighshire, E.) asked the Secretary of State for the Home Department, Whether he can state by whom, and how soon, the proposed inquiry into the Mochdre disturbances will be held; and, whether he will take care that such inquiry is held in the locality in which the disturbances took place, and that the parties immediately interested therein have an opportunity of appearing and of being properly represented thereat?

MR. BRYN ROBERTS (Carnarvonshire, Eifion) also asked the right hon. and learned Gentleman, Whether he will instruct the authority to be appointed by him to inquire into the circumstances of the tithe disturbances at Mochdre, to give the like permission (as far as practicable) to the tithepayers and the persons injured at the disturbance to appear or be represented at the inquiry, and to produce evidence as was given to persons injured at the Belfast riots with respect to the Belfast inquiry?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: No unnecessary delay will take place in holding the proposed inquiry into the Mochdre disturbances. The inquiry will be entrusted to a Metropolitan police magistrate or some lawyer of distinction. It will be held in the locality, and instructions will be given to the Commissioner to make the inquiry full and exhaustive, and to elicit information from all persons interested. Strictly speaking, in an inquiry of this sort there are no parties; and there is no right of appearance by counsel or in person. It was the rule laid down by Mr. Justice Day in the Belfast inquiry. The extent to which persons interested are allowed to intervene in the inquiry must be left to the discretion of the Commissioner, who will, doubtless, welcome any assistance properly rendered to the Court.

MR. OSBORNE MORGAN: Will evidence be taken on oath?

MR. STUART-WORTLEY: No; I am afraid it could not be so taken under Act of Parliament.

MR. KENYON (Denbigh, &c.) asked, whether the Commission would be competent to inquire into the alleged existence of an illegal combination called the Anti-Tithe League, and to examine the officers of that combination as to the part they took in connection with the disturbances?

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked, whether the riot at Mochdre was only one of a series of similar riots organized under the same leaders, who moved from place to place with the object of resisting the police; and whether the scope of the inquiry would be such as to allow of evidence being taken to show the circumstances in which the agitation originated, the manner in which it had hitherto been conducted, and the persons by whom it was countenanced?

MR. T. E. ELLIS (Merionethshire) wished to know whether it was in Order for an hon. Member to declare that the Anti-Tithe League was an illegal organization?

MR. SPEAKER: If the hon. Member used that expression it is clearly out of Order.

MR. KENYON: I said the alleged illegal combination. [*Cheers, and cries of* "Withdraw!"]

MR. SPEAKER suggested that the hon. Member should substitute the words "Anti-Tithe" agitation.

MR. KENYON assented.

MR. STUART-WORTLEY said, that his hon. Friend the Member for Denbigh would remember that the other day the Secretary of State had said that the inquiry would be into the circumstances of that riot, and in his answer to-day he had himself said that the inquiry would be exhaustive. The hon. Member for Shropshire had better address his Question to the Home Secretary to-morrow.

NAVY—SEIZURE OF A YACHT'S FLAG IN BANTRY BAY.

DR. TANNER (Cork Co., Mid) asked the First Lord of the Admiralty, Whether it is a fact that Lieutenant Saul, of H.M.S. *Shannon*, did, on last Tuesday evening, board a small yacht belonging to Mr. W. Murphy, M.P., in Bantry Bay, and, after producing his commission and a letter from the captain of the *Shannon*, demanded and seized a small flag which the yacht was flying; whether he is aware that the flag in question has been repeatedly hoisted on board the yacht for some years past; whether the captain of the *Shannon*, in his letter, stated "that the flag was at all times objectionable, but especially so on the Jubilee Day;" what was objectionable about the flag, and from what portion of the yacht's rigging was the flag displayed; and, whether any special orders had been given by the Admiralty, regulating the display of private flags on the day in question?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The facts as stated in paragraphs one, two, and three of the Question are generally correct, except that no allusion in the letter of the captain was made to the Jubilee. The captain of the *Shannon* based his action on Section 105 of the Merchant Shipping Act, 1854. The objection taken to the flag was that it was displayed as an ensign from the peak, and was of an unauthorized description. No special orders had been given by the Admiralty on the subject.

DR. TANNER: Might I ask the noble Lord if he is aware that during the recent visit of Her Majesty's Fleet to Bantry Bay this same yacht cruised amongst those vessels with this same flag floating in the same place; and whether this is really another attempt at a Jubilee outrage?

MR. SPEAKER: Order, order!

LAW AND JUSTICE—THE VACANT STIPENDIARY MAGISTRATE FOR WEST HAM.

MR. FORREST FULTON (West Ham, N.) asked the Secretary of State for the Home Department, Whether he can state when it is proposed to fill up the vacant post of Stipendiary Magistrate to the Borough of West Ham, as the continued delay is matter of great public inconvenience?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: West Ham has made application for a separate Commission of the Peace, and that application has been acceded to. The

Lord Chancellor has been requested to issue the separate Commission; and as West Ham is now a borough, the appointment of a stipendiary is only delayed until a separate Commission is completed. That seems to be the proper course under the Municipal Corporations Act, 1882.

INLAND REVENUE — LICENCES OF GROOMS IN RACING STABLES.

MR. W. F. LAWRENCE (Liverpool, Abercromby) asked Mr. Chancellor of the Exchequer, Whether the employment of grooms in racing stables is exempt from the licence required for the employment of grooms elsewhere employed; and, if so, whether he will consider the propriety of removing the inequality of taxation owing to the exemption aforesaid?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In reply to the hon. Gentleman, I have to say that grooms in racing stables are treated in exactly the same way as regards licence duty as grooms in any other stables. If the racing stables are public the grooms are exempt from licence duty, as are all attendants in ordinary trade stables; if the stables are private a licence is required.

INLAND REVENUE—THE MOISTURE CLAUSE.

MR. HOOPER (Cork, S.E.) asked Mr. Chancellor of the Exchequer, Upon what principle the Excise authorities will act in carrying out the Moisture Clause in the Inland Revenue Bill in the case of roll tobacco, in which there is so much difference in the quantity of moisture at the centre and at the circumference of the roll?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's) (Hanover Square): The principle upon which the Excise authorities will act in carrying out the Moisture Clause in the new Inland Revenue Bill is that no purchaser shall be liable to buy tobacco containing more than 35 per cent of water. The Question of the hon. Member seems to suggest that an average should be struck, and that it should be sufficient that a roll taken as a whole contained no more than 35 per cent of water, though particular parts of it, such as the inner coils, might contain more. I think that would be a very unsatisfactory arrangement for purchasers who happened to be supplied from the inner coils. The hon. Member must recollect that 35 per cent of moisture is a maximum. It is the extreme limit of moisture, not the ideal amount. If, in order to insure that no portion of his tobacco should contain more than 35 per cent, a manufacturer is obliged to make some of it so as to contain somewhat less, that surely gives him no legitimate ground of complaint.

INDIA—THE COMMISSION ON INDIAN FINANCE—THE REPORT.

MR. MUNRO-FERGUSON (Leith, &c.) asked the Under Secretary of State for India, Whether the Report of the Commission on Indian Finance will be printed?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Report of the Finance Committee has not yet been received by the Secretary of State, and it is, therefore, at present impossible to say whether it will be published.

INDIA—THE NIZAM—MINING RIGHTS —THE DECCAN COMPANY.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, What were the terms on which the Deccan Company obtained the concession of a monopoly of mining rights within the territories of His Highness the Nizam; and, whether the Secretary of State has accorded his sanction to those terms?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The principal terms of the contract between the Government of Hyderabad and the Deccan Company are:—(1) The Company is to work the coal-fields at Singareni on the Nizam's State Railway. (2) The Company may elect to take up and work any of certain coal and iron-fields specified in the contract at any time till January 1, 1890. (3) The Company may exercise in any part of the territories of the Nizam the exclusive right of prospecting and testing for gold, silver, iron, precious stones, precious metals, and other mines and minerals and mineral oils until October 31, 1891, for which exclusive right

they are to pay Rs.50,000 per annum. (4) The Hyderabad Government are to grant to the Company mining leases for 99 years of the Singareni Coal-field, of such of the specified coal and iron as they may select by January 1, 1890, and of such other mines as they may notify to the Hyderabad Government by December 31, 1891, on conditions prescribed by the contract. The late Secretary of State accorded his sanction to this contract on July 27, 1886, subject to the condition that the Company should undertake to surrender to the Hyderabad Government any land taken up under its provisions upon which mining operations were not commenced before the end of 1896.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked whether the Company had paid anything for this gigantic monopoly?

SIR JOHN GORST said, that he had stated there was a contract, of which he had given the substantial terms. The hon. Member could judge for himself of the benefit derived by the Government of Hyderabad.

SIR GEORGE CAMPBELL said, the hon. and learned Gentleman had stated what the Company was to get, but not what they were to give.

SIR JOHN GORST said, the Company was to work the coal-fields in the Nizam's Dominions; that the 99 years' leases were to be granted under conditions, one of which was the payment of certain royalties. ["What royalties?"] In the case of the Singareni field, if the sale was less than 100,000 tons eight annas a ton; if more, higher royalties up to a rupee were to be paid. In the case of the other mines the royalties were to be fixed by agreement between experienced mining engineers, one to be appointed by the Company and the other by the Government of India.

POST OFFICE — FINANCE — GOVERNMENT STOCK AND POST OFFICE SAVINGS BANKS.

MR. BURT (Morpeth) (for Mr. FENWICK) (Northumberland, Wansbeck) asked the Postmaster General, Whether the Government is prepared to bring in a Bill to provide further facilities for small investments in Government Stock, and for further increasing the usefulness of Post Office Savings Banks; and, if so, whether he can state when the Bill will be introduced?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The hon. Member is, I think, aware that I have already more than once expressed my wish to deal with this subject, upon which I am still in communication with my Colleagues in the Government, with whom it must rest to determine whether legislation in this direction can be undertaken in the present Session.

THE MAGISTRACY (IRELAND)—THE MAYOR OF CORK.

MR. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Mayor of Cork has been superseded in his right to act in his magisterial capacity; if so, by whom, and by virtue of what power or authority?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: No, Sir; the Mayor of Cork has not been superseded in his right to act in his magisterial capacity.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—JUDICIAL BUSINESS (IRELAND).

MR. P. O'BRIEN (Monaghan, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the following paragraph which appeared in *The Northern Standard* of the 18th instant, and which purports to be the order of Mr. Baron, the County Court Judge of Monaghan:—

"As the celebration of the Jubilee of our Most Gracious Majesty the Queen will take place on Tuesday next, the Court will not sit on that day to hear any business but ejectments, and will adjourn at 12 noon;"

and, whether such order was made with the knowledge and consent of the Government, or by whose authority this order was made?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: As the hon. Member for Monaghan is probably aware, County Court Judges act entirely on their own responsibility. The Chief Secretary, however, has been favoured in this case with a statement from his Honour Judge BARON, to the effect that he received a Memorial most

respectably signed on behalf of the inhabitants of Monaghan and district informing him that they intended to keep the 21st as a holiday, and requesting that he would adjourn his Court to the 22nd. He consulted the practitioners, who informed him that it would be very difficult to get witnesses to attend the Court on the 21st. He then informed the Memorialists that, the 21st being named for ejectments in the first instance, and as witnesses often came a distance in such cases, he would go through the list of ejectments and then adjourn the Court to the following morning, and he acted accordingly, as he had a perfect right to do.

LAW AND JUSTICE (IRELAND)—THE MAYOR OF CORK.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that Captain Plunkett has taken magisterial charge of the City of Cork; whether he has given instructions to the police to permit no prisoner to be discharged on the Mayor of Cork's orders, and to have all prisoners tried by a Resident Magistrate; and, whether a Divisional Magistrate is authorized or empowered, by statute or otherwise, to supersede, of his own motion, the jurisdiction and authority of the Mayor of that City?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: Captain Plunkett has not taken magisterial charge of the City of Cork. He has taken no step to increase or diminish the authority vested in him as Divisional Magistrate. The only instructions that he has given to the police are that when prisoners are arrested during a riot the Resident Magistrate should be at once communicated with.

DR. TANNER: May I direct the right hon. and gallant Gentleman's attention to the second portion of my Question—whether Captain Plunkett has given directions to the police that no prisoner should be discharged on the Mayor of Cork's orders?

COLONEL KING-HARMAN: I have already given an answer. I have said the only instructions he has given to the police are that when prisoners are arrested during riots the Resident Magistrates shall be at once communicated with.

MR. O'HEA (Donegal, W.): May I ask the right hon. and gallant Gentleman, is he aware of the fact that when the Mayor of Cork gave an order in writing for the discharge of prisoners, whose residences and everything appertaining to whom he was thoroughly satisfied about, these orders were disregarded by the Constabulary?

COLONEL KING-HARMAN: The only information bearing upon this subject that I have is that one prisoner was arrested red-handed in the act of wrecking *The Cork Constitution* office. The Mayor of Cork sent a letter ordering the discharge of the man, and the police very properly refused to comply with orders sent by letter in such a case.

DR. TANNER: Might I direct the attention of the right hon. and gallant Gentleman to the third portion of my Question. Whether the Divisional Magistrate is authorized and empowered to act in this unconstitutional fashion?

COLONEL KING-HARMAN: The Question should be addressed to the Law Officers.

MR. HOOPER (Cork, S.E.): Is the right hon. and gallant Gentleman aware that in the case in which the Mayor of Cork wrote the note referred to he had been furnished with a certificate that detention during the night would be dangerous to the prisoner's health?

COLONEL KING-HARMAN: I am not aware.

TRADE AND COMMERCE — THE ENGLISH LABOUR MARKET.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Under Secretary of State for Foreign Affairs, Whether the Austrian Government has issued a warning to its subjects contemplating removal to London, that the English labour market is overcrowded; and, whether Her Majesty's Government will make representations to the Governments of other European countries, with a view to the issue by them of similar notices?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Since the hon. Member's Question appeared on the Paper, Her Majesty's Ambassador at Vienna has been asked respecting the newspaper report to which, I presume, the Question of the hon. Member refers, and has replied by telegraph that the Austro-

Hungarian Government has not issued any notice to emigrants in the sense that the English labour market is overcrowded. I do not know that Her Majesty's Government has any intention of representing to European Governments that the labour market in this country is overcrowded.

HIS HOLINESS THE POPE—DIPLOMATIC RELATIONS WITH THE VATICAN.

MR. JOHNSTON (Belfast, S.) asked the First Lord of the Treasury, Whether the Pope has communicated to Her Majesty's Government any desire for the establishment of Diplomatic relations between England and the Vatican; and, whether, since the Pontiff has ceased to be Sovereign of the Roman States, Her Majesty's Government contemplate the establishment of such relations; and, if so, with what object, and on what grounds?

THE FIRST LORD (Mr. W. H SMITH) (Strand, Westminster): In answer to my hon. Friend, I have to say that no such proposals as those contemplated in this Question have ever been made either to or by Her Majesty's Government.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — HER MAJESTY'S LETTER OF THANKS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the First Lord of the Treasury, Whether, subject to the Queen's approval, he would direct that Her Most Gracious Majesty's letter of thanks to her loyal subjects should be autotyped, and copies transmitted to the Lord Lieutenants, Mayors, and Chairmen of Local Boards for publication throughout the country?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I will communicate with the Secretary of State upon the subject; and I have no doubt that he will give such directions as are usual on an occasion of this character.

TRADE AND COMMERCE — DESTITUTION AMONG IRON-WORKERS AT TIPTON.

MR. CREMER (Shoreditch, Haggerston) asked a Question with reference to a report that 400 iron-workers and their families were starving at Tipton in consequence of the stoppage of the iron-works.

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Board have received no communication on this subject, but will instruct the Inspector of the district to make inquiry. The out-door labour test order, however, is in force in the union (Dudley) in which Tipton is comprised; and the Guardians are therefore empowered, when necessary, to give out-relief under a labour test. If arrangements for this purpose are not immediately available it is always open to the Guardians, in any case of emergency, to grant out-door relief, and to report the same to the Local Government Board for their sanction, at any time within 15 days after it has been given.

THE ANGLO-EGYPTIAN CONVENTION.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Under Secretary of State for Foreign Affairs, Whether he could communicate to the House any information as to the ratification, or otherwise, of the Egyptian Convention?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Government of the Porte expressed a strong wish that the ratification should be postponed until Monday next; and although that would be a somewhat long period of extension, Her Majesty's Government thought it right to accede to the request.

MR. CONYBEARE (Cornwall, Camborne): May I ask whether the Convention is to be ratified before the House of Commons has had an opportunity of expressing an opinion upon it?

[No reply.]

MR. CONYBEARE said, he would repeat the Question to-morrow.

THE ROYAL COMMISSION ON WARLIKE STORES.

MR. HANBURY (Preston) asked, When the evidence taken before Sir J. Fitzjames Stephen's Commission on Warlike Stores would be printed and issued; and, whether, in any case, the Government would undertake that no Votes for any officials who might be incriminated by that evidence would be taken until the House had had a full opportunity of studying the evidence?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) said, he had caused inquiry to be made of the Secretary to the Commission to ask if he could not name a definite and early date by which the evidence would be received and circulated. With regard to the latter portion of the Question, he was sure that he might undertake, on behalf of the Secretary of State for War, that time would be given to the House to consider the evidence.

MR. HANBURY asked, whether the House might have a similar assurance from the First Lord of the Admiralty?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing) said, that he could not admit that the Admiralty were in any way responsible for the stores issued by the Ordnance Department.

BUSINESS OF THE HOUSE.

In answer to Sir HUSSEY VIVIAN (Swansea, District),

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, that it was not the intention of the Government to proceed with the Coal Mines, &c. Regulation Bill before the completion of the proceedings on the Report of the Criminal Law Amendment (Ireland) Bill. He had already undertaken to give Notice of the day when the Coal Mines, &c. Regulation Bill would be taken.

MR. BAUMANN (Camberwell, Peckham): May I ask the First Lord of the Treasury, do the Government intend to take the Criminal Law Amendment (Ireland) Bill on every day this week?

MR. W. H. SMITH said, he hoped that the Bill would not occupy every day of the week. It was, however, the intention of the Government to proceed with it continuously until the Report stage should have been disposed of.

In answer to Mr. CAVENDISH BENTINCK (Whitehaven),

MR. W. H. SMITH said, that it would be necessary to take the Report of Supply that evening. He could not name an hour for the consideration of the Order.

MR. SEXTON (Belfast, W.): I wish to ask the Parliamentary Under Secretary for Ireland, Does he intend to proceed with the Order of the Day number 6 to-night; and, if not, when he intends to proceed with it?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet): I do not propose to take it to-night.

MR. SEXTON: I wish to give Notice to the right hon. and gallant Gentleman that when he does take that Order I shall offer the most strenuous opposition, at every practicable stage, to the proposition which provides, in spite of the recommendation of the Royal Commission, for the appointment of a Hybrid Watch Committee in Belfast. I would also ask on what day the Irish Land Law Bill is likely to come down to this House?

MR. W. H. SMITH: On a very early day next week, Sir.

ORDERS OF THE DAY.

—o—

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 290.]

(*Mr. Arthur Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

CONSIDERATION. [FIRST NIGHT.]

Bill, as amended, *considered.*

MR. E. ROBERTSON (Dundee), in rising to move the following clause:—

"It shall be lawful for Her Majesty, on an address presented by either House of Parliament, to declare by Order in Council that this Act shall, from and after a date to be specified in such Order, cease to have any effect; and thereupon this Act shall, as from the date so specified in such Order, become null and void in like manner as if it had been repealed by Act of Parliament,"

said: I do not wish to stand between the House and the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley), who has an Amendment on the Paper to limit the operation of the Act to three years. I only wish to interpose for a few moments to state the reasons why I have not been able altogether to accept his proposal, and why I have ventured to offer this clause to the House as a possible compromise between the position which, as I understand, has been taken up by Her Majesty's Government on the question of the duration of this Act and the position which is taken up on this side of the House. I must, in candour, admit that there is a good deal of force in what is said on behalf of the objects of the Government in

proposing that this Bill be not limited to a fixed period of years. They have some reason to argue that they ought not to be called upon, and that Parliament ought not to be called upon—and here I believe that the country will support them—that Parliament ought not to be called upon at short intervals to give up practically an entire Session to be wasted in passing a Coercion Bill for Ireland. We hear that this Bill will be tantamount to coercion for ever and ever. I do not believe there is much force in that cry. This Bill will no more be perpetual than any other Act of Parliament will be. It will no more be perpetual than the Act of Union between Great Britain and Ireland. Our real objection to the Bill is this, and I shall state it frankly and at once—namely, that by the Bill as it stands you are giving to the House of Lords the power of perpetuating this Act, it may be, in defiance of the wishes of the House of Commons. This Bill is in its nature an exceptional Bill. By the whole of Parliamentary practice heretofore, Bills of that sort have been temporary Bills, and you are introducing an innovation in proposing this Bill without naming a fixed period for its duration. I say that a Bill of this character, exceptional in the circumstances that justify it, and temporary in its intention, ought not to be perpetuated except by the authority of both Houses of Parliament. I do not admit that it is any answer to this contention that a change of Government would make the Act a dead letter. That is not true as a matter of fact, because there are many clauses in this Bill of a substantive character, and which do not depend for being engrossed upon the Statute Book whatever the Administration in power may be. There may be no disposition on the part of a Liberal Government to repeal them. Irish Members will not forget that there have been Liberal Coercionist Governments before, and Liberal Governments may be coercionist again. This Bill will enable a future Government, Liberal or Tory, to excuse itself from repealing this measure on the ground that repeal is unnecessary, or that, in view of the opposition of the House of Lords, it is not worth while to sacrifice the time. The essential point is that the repeal of this Bill will require the consent of both Houses, and, therefore, that one House can perpetuate the Bill; and that, in view of the exceptional character of the Bill, is a hardship. I can conceive an objection to this clause on the ground that it is a novelty. It may be alleged that it is unprecedented. I do not conceive that such an objection can for a moment come from Members of Her Majesty's Government, who have been exhibiting all through this Session the most complete—and, to my mind, most wholesome—disregard for precedents. Their course in regard to this Bill is unprecedented. They make it perpetual. But there are three proposals within the four corners of the Bill itself which justify my proposal. The Government, in the first place, propose to give the Lord Lieutenant the power by Proclamation to make law in Ireland, and to make law of a very exceptional and hazardous character. They propose to delegate to the Lord Lieutenant the power of legislating. In the second place, they give to the Lord Lieutenant the power of repealing the legislation which he has brought into existence, because they enable him to revoke his Proclamations. In the third place, they reserve to a particular House of Parliament the power to put an end to a law created by both Houses of Parliament. I have therefore within the Bill itself precedents for the course which I propose in this Motion. My object is to prevent the House of Lords keeping this Act upon the Statute Book in defiance, it may be, of the wishes of a future House of Commons. If Her Majesty's Government will not accept this clause, I think the inference will be undeniable and irresistible that it is their settled intention to bring about the result of keeping this Bill upon the Statute Book irrespective of the wishes of the Representatives of the people, and thus to place in perpetuity a stigma upon the whole of the Irish people. In conclusion, I beg to move the clause of which I have given Notice.

Clause (Act may be repealed by Councils),—(*Mr. E. Robertson,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he hoped that the hon. Member would forgive him if he did not

[*First Night.*]

go into the general question of the duration of this Bill upon the present Amendment. He agreed with the hon. Member as to the inconvenience of wasting the time of Parliament in discussing the provisions of Criminal Law for Ireland; but he failed to discover how the proposal of the hon. Member met the difficulty. If this Bill were brought to a summary termination by an Order in Council, and after that it became necessary again to pass a Criminal Law for Ireland, the whole weary round would again have to be gone through. The hon. Member had said that his object was that the House of Lords should not be able to interfere with the intentions of the House of Commons as to the repeal of the Bill. For his own part, he quite admitted that it was now impossible for the House of Commons to repeal the Bill of its own Motion; but, if it wished to do so, it was possible for the majority in that House, by placing a Ministry in power which possessed its confidence, to prevent this Act from being operative over a single square mile; but, in his opinion, more violent and extraordinary interference with the machinery of legislation had never been suggested. The proposal of the hon. Member to allow the repeal of an Act by the means which he proposed, was an extraordinary violation of precedent. The repeal of a law was as much a legislative act as the enactment of a law, and if they started the precedent that by an Order in Council an Act of Parliament could be repealed by the Government of the day, what security had they that this would not be extended in the future to the enactment of Acts of Parliament as well as to their repeal? In principle there was no difference between the two cases. For these reasons, the Government felt it impossible to accept the Amendment of the hon. Gentleman.

Question put, and *negatived.*

MR. JOHN MORLEY (Newcastle-upon-Tyne), in rising to move—

"That this Act shall be of no force and effect after the expiration of three years next after the passing thereof,"

said: I cannot agree with my hon. Friend the Member for Dundee (Mr. E. Robertson) when he applauded the Government for taking an unprecedented course. It appears to me that in legislation of this kind precedent is a very valuable guide; and my first argument in favour of the clause which I propose, is the argument based upon precedent and on the fact that no Bill of this description has ever before been proposed to Parliament without a limitation in point of time. This is the first Government that has had the courage—I am afraid I must say the shameful courage—to propose exceptional legislation without providing that that legislation shall be temporary in its duration. I may notice that even in this Bill Section 8 limits the operation of the Arms Act which is now in force, to a period of five years, while no part of the Bill is itself so guarded. I may point out that even in the most high-flying Tory times of 1819 and 1820 the most stringent of the Acts of that day were guarded in point of time. Now, why has the Legislature hitherto always been so careful to provide that these Acts should be only temporary in their duration? It is because that up to the present time the Legislature has wisely felt that it was essential and indispensable that in any legislation of this kind it should be necessary and compulsory that Parliament should at the earliest possible time review and reconsider the conditions under which that legislation was passed. It was felt by Parliament and and the Government that though circumstances might justify—and I never denied that it may be the case—whether in Ireland or in England, concession of exceptional repressive powers, yet this departure from the regular path of administration and justice, this exceptional restriction of civil rights, was a thing so serious and so grave that Parliament should have no choice in the matter, but should be appealed to and compelled from time to time to consider whether the circumstances which had originally justified that legislation still existed and still justified it. This will be the first Parliament and the first Government which has cast to the winds the old fashioned wise regard for the liberty of the subject and of jealous care that exceptional repressive legislation shall not endure one day after it is practically demanded by circumstances. I say that all departures from ordinary law ought to be temporary and difficult; and I disagree again with my hon. Friend the Member for Dundee. I say that Parliament ought not to grudge one minute of time

for the consideration of such questions when it may become necessary. What are the arguments of the Government in favour of this measure? The right hon. Gentleman the Chief Secretary (Mr. A. J. Balfour), who is a metaphysician, gave us what I thought was a very metaphysical reason for acquiescing in the provisions of this Bill. He reminded us of the fact that this Bill, though unlimited in duration, is not necessarily applicable over the whole of Ireland, and laid down the doctrine that the limitation of space compensates for the absence of limitation of time. Metaphysicians have said many strange things about time and space before now, but none stranger than this. In what sense a limitation of space gives compensation for the absence of a limitation of time it passes my powers of distinction to recognize. Then there were some remarks upon this subject which fell from the Attorney General for Ireland (Mr. Holmes) and from the right hon. and learned Gentleman the First Commissioner of Works (Mr. Plunket) in defence of this peculiarity of the Bill. The Attorney General for Ireland stated, during the Committee stage, that there was no such thing, in the proper sense of the word, as a perpetual Act of Parliament; that every Act of Parliament can be, and ought to be, repealed when the necessity for it exists no longer; and that that is the measure of the continuance of a Statute. I notice that this argument answers another argument that seems to find favour with hon. Members opposite. It is said that the reason of the failure of previous Coercion Acts in Ireland is that they were temporary in character, and not perpetual. But the language of the Attorney General for Ireland is an answer upon that point. You first say that the Act ought to be perpetual; then you say no Act is perpetual. You first say that this Act ought not to be temporary; then you hurry to show that all Acts are temporary. The right hon. and learned Gentleman the First Commissioner of Works said that it was perfectly possible for the Lord Lieutenant to reduce every word in this Act to the position of a dead letter by one stroke of the pen, and the Chief Secretary tells us that a Parliamentary majority can prevent its being operative over a single square mile. But that is our charge against it. It is that by it you have devolved acts of power which Parliament ought to keep in its own hands upon the Lord Lieutenant. We say that this Act will be no law in the true sense of the word; it is a list, an inventory, a catalogue of arbitrary powers to be used or disused at the goodwill and pleasure of the Lord Lieutenant. Now, Sir, I submit that that is what neither jurists nor politicians have ever meant by permanence of the law either for Ireland or anywhere else. It is not what the Prime Minister meant when he said that the failure of our government was due to changes of temperature at Westminster, rather than changes of temperature in Ireland. The Criminal Law in Ireland is to change and shift, and move up and down, be one day more stringent, and the next day not stringent at all, exactly as the Office of Lord Lieutenant is held, one day by the Representative of one Party, and the next by the Representative of another Party. The Bill also creates new offences. That is no longer denied—the Attorney General for Ireland admitted it the other night. But these acts will be, or will not be, offences at law just as the Lord Lieutenant, and not as Parliament, pleases. The question of the legality of association, a subject which is of the utmost importance, is withdrawn from the proper legal tribunals and is declared to depend solely upon the will of the Lord Lieutenant. How do you suppose the people of Ireland, under these circumstances, are going to have a new-born respect for the dignity, impartiality, and majesty of your law? I do not care what jurist the right hon. Gentleman appeals to. He shall appeal, if he likes, to Mr. Dicey, to Professor Pollock, to Sir James Stephen, and others, all of whom are with him and against us on the question of Home Rule, and I will undertake to say every one of those high authorities will tell him that to place for an indefinite time the Executive power in England, Ireland, or anywhere else in a position to decide and declare what the Criminal Law shall be, what the Criminal Law Procedure shall be, when the ordinary securities of what foreigners call the Constitutional guarantees—when those securities shall be operative and when suspended—I say, all will tell him that it is the essence of tyranny, and that it makes all the difference between a free

[*First Night.*]

Government and an arbitrary despotism. Sir, I know very well that this Bill when it becomes law may be repealed; but looking at the matter from a practical view, I think no Gentleman in the House will deny that there is all the difference in the world between a compulsory lapse and possible repeal. I will not dwell upon the probable difficulty of persuading noble Lords in "another place" to acquiesce in that repeal. I will not dwell upon the great difficulty which Parliament and any Government will feel in taking up any subject that it is not positively compelled to take up. Everybody knows that a Government will think twice, thrice, aye, a hundred times—especially a Government with so deep-rooted a conviction as you have on this matter—before it proposes the repeal of this Act. My imagination fails to conceive Her Majesty's Ministers—whatever changes may take place in Ireland—coming to this House in two or three, or any number of years from now, and asking us to repeal the Act which they are now asking us to pass. And let us come to the point in this matter. The Bill of the Government as it stands shifts the burden of proof of the necessity for exceptional legislation in a manner which makes the difference between their method and mine vital. By my proposal, and by the method invariably followed hitherto, the burden of the necessity for exceptional legislation falls where it has always invariably fallen—on the shoulders of those who maintain the necessity for exceptional legislation. Now, that is a very proper thing, in my judgment. It has been the invariable condition of exceptional repressive legislation. But the Bill of the Government pursues the very opposite method; those who ask for a repeal will have to prove a negative, which is an extremely difficult thing to do to the satisfaction of any majority who do not agree. The Government say they will be willing to allow the Bill to be repealed when the necessity for it has disappeared. I want to know how you are going to test necessity. Now, since we last discussed the Bill, we have had a Return which shows what appeared before, that the necessity now is as low, as far as we can test it by figures, as it is ever likely to be, and lower than it has been in other days when coercion has been enforced. To illustrate the difficulty of showing when necessity exists and when it does not, I should like to refer to the figures in the Return which has been laid before Parliament since we last discussed the Bill. The Chief Secretary pooh-poohs those Returns, yet they are the only positive test, distinguished from vague assertion and anecdotes, on which we can rely. In April, 1887, the total number of reported outrages was 86; in May it was 62. If you deduct in each case the threatening letters, the balance for April of reported outrages is 49, and for May only 33. Now, in order to measure the significance of these figures, I would ask the House to remember what were the figures in the earlier part of the year. In January, the figure which now is 62, was 65; in February, the figure, now 62, was 77; and in March it was 99. Therefore, you have a decline of something like 50 per cent between March, 1887, and the date of the last Return. Comparing the last two months with the two months previous there is a decline from 176 to 148. But I should like to go back to May, 1885. The five months of 1887, for which we have Returns, give the reported outrages at 389, whilst for the five months up to May, in 1885, the number was 474; and yet when the reported outrages in 1885 were 474 for the five months, the present Members of the Government assured the country and assured Parliament that reliance on the ordinary law was a great success—and, yet, now 389 outrages prove that a resort to extraordinary law is a dire and pressing necessity. I know the Chief Secretary will tell us that this is due to the shadow of his Bill. Well, I hope for the sake of the government of Ireland the right hon. Gentleman, on reflection, will know better, for he must know that the shadow of this Bill has nothing whatever to do with the decline in the number of outrages. Another test of the alleged necessity for this Bill is the state of opinion recorded by the chief organs of opinion in Ireland. We are not left in the dark there; and I am at a loss to imagine a state of things arising in Ireland three years hence, or at any other time, when that opinion will be more unanimous against this legislation than it is to-day. Mr. Knipe, the only Representative of the tenant farmers on the Cowper Commission, tells you that any attempt to meet crime and

outrage by coercive legislation will not only fail to secure tranquillity, but will aggravate disorder. Beyond that, since we last discussed the Bill, the Archbishops and Bishops of the Catholic Church in Ireland have met again, and have again re-affirmed what they affirmed in April last—first, that this Bill will not check outrage in the limited area where it prevails; secondly, that it will provoke opposition to the law in the area which is now tranquil; thirdly, that it will substitute secret societies for public and Constitutional agitation; and fourthly, that it will still further embitter the relations, already bitter enough, between coercing landlords, for whom the Bill is framed, and the tenants against whom it will be administered. That is what the clergy say, that is what the Representative of the tenant farmers says; and I need not remind the House that it is what five-sixths of the Irish Representatives say. Therefore, it comes to this—that when you announce that you will keep this Act on the Statute Book until its object has been attained, you will keep it to a date which, according to all the great influential and representative organs of opinion in Ireland, is a date which will never arrive on this side of Doomsday. The right hon. Gentleman the Chancellor of the Exchequer said, in an interjectory remark, that this was an emancipating Bill. [*Laughter.*] Yes; it is a Bill for emancipating the population of Ireland from the clergy, from the Bishops, from the constituencies, from their chosen Representatives. Now, permanence goes to the very root of the whole policy upon which this Bill rests, because no Act ever passed by Parliament is made permanent unless the evils against which it is directed are in the contemplation of Parliament and the authors of such legislation permanent. Yes, I believe this is a sound Parliamentary doctrine, that the permanence of an Act implies the permanence of the evils against which the enactment is directed. You, therefore, by omitting the customary restrictions in point of time, are admitting that you do not expect any other legislation that you have in store to put an end to the evils which this Bill professes to be directed against. By the absence of provisions for restriction of time, you are branding British citizens in Ireland —for that is what they are—with the stamp of unfitness for civil rights which are enjoyed by all British citizens in England and in Scotland. The Government will not pass such a measure for England, because they say it is not required. But there is not one of those who advocate the permanence of enactments affecting criminal procedure who does not at the same time couple with that recommendation another, that such legislation shall not only be permanent, but that it shall be uniformly applied for England and Scotland as well as Ireland. Refer to Mr. Dicey again, or any of the legal and juristical authorities, and they all say it must not only be permanent, but uniformly applied. Why is it not? You say because it is not wanted here. But then the Chief Secretary has admitted, and all right hon. Gentlemen on that side have admitted, that it is not wanted in a great many parts of Ireland either, but only for a very small part. The reason the Government do not make the measure to apply uniformly to England and Scotland as well as to Ireland is because they dare not. Had they done so, before the Bill had reached its second reading they would have been swept out of existence as a Government. I do not argue that you ought to extend these new provisions of criminal procedure to England; what I do argue is that the fact that you do not extend those provisions to England shows that you regard your legislation as what it is—special, exceptional, and peculiar. Well, if it is special, exceptional, and peculiar, if it is designed to meet an extraordinary set of circumstances, then I say that that is in itself a proof that it ought to be limited in point of duration of time. It is, then, folly to talk of equal political rights between England and Ireland, where there is an inequality such as this Bill will establish—an inequality of civil rights. This Bill will put the Irish citizen in a far worse position in respect of civil rights than he was when the Franchise Bill or the Catholic Emancipation Act changed his position for the better in respect of political rights. It does far more to lower his civil rights than those Acts did to raise his political rights. The administration of justice, it will not be denied by any lawyer on that Bench, is the most important of all the Departments of State. It is that Department upon which

the most valuable elements of civil life depend. And what you are going to do in Ireland by the passing of this Act is to bring it about that a generation will grow up to whom the bare existence of this Act will be a symbol and a stigma of inequality and inferiority. That will be a constant and standing reason—and a good reason—for hating the Government and the Parliament which imposes and which retains it. I am not particularly fond of referring to the Act of Union; but I venture to say that it is the Unionists who, by this Act, and especially by this provision of the Act against which my clause is directed, are dealing as heavy a blow as I can imagine at the Act of Union. Exceptional measures and temporary measures of repressive legislation might possibly be reconciled with the spirit and policy of the Act of Union; but no ingenuity and no sophistry can reconcile with the Act of Union that which places the population of Ireland for an indefinite and unlimited and unmeasured time against the will of the vast majority of the Representatives of Ireland, in a position of civil inferiority with the population of Great Britain. What becomes of the very foundations on which Mr. Pitt desired the Union to be established? The illustrious author of the Act of Union was answering the charges of various assailants, and he said—

"Does our union, under such circumstances, by free consent and on just and equal terms, deserve to be treated as a proposal for subjecting Ireland to a foreign yoke? Is it not rather the free and voluntary association of two great countries which join for their common benefit in one Empire, where each will retain its proportional weight and importance under the security of equal laws, reciprocal affection, and inseparable interests."

What has become of reciprocal affection? The Government are doing their best, by such an Act as this, to extinguish reciprocal affection on the part of Ireland. What has become of the equal laws? You are casting the idea of equal laws to the winds by such legislation as this, and it is, I think, a fatal blow to the whole spirit of the policy of the Act of Union, a flagrant innovation of all that that Union was meant to accomplish. The clause will, no doubt, be rejected—our protest will, no doubt, be an unavailing one—but I can only say that for some of us, whatever may be our political fortunes or the fortunes of our Party, we shall never cease, we shall never refrain, from protesting, in season and out of season, against a measure of this kind, which in this one particular, as in so many others, is a flagrant violation of all the free principles of English Government, and of all the greatest traditions of this Parliament. The right hon. Gentleman concluded by moving the clause of which he had given Notice.

Clause (Duration of Act,)—(*Mr. John Morley,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, it would be evident to those who had listened to the right hon. Gentleman (Mr. John Morley) that he had made a second reading speech against the Bill. The right hon. Gentleman stated that all the Coercion Bills which had been passed had been limited in their duration. But no previous Coercion Bill had been framed with the same safeguards or with the same power of Parliamentary revision as the present measure. It was not only a question of repeal or the bringing in of an Act to repeal the Bill; it was a question of the safeguards which were contained in the Bill itself. It was a question as to the necessity of the matter being submitted to the opinion and criticism of the House of Commons. The Government had been taunted with showing "shameful courage" in introducing the Bill—might it not rather be a boldness which should be commended? The real question for consideration was whether or not the Bill was a measure against crime. Over and over again, if not by direct misrepresentation, at least by language capable of being misunderstood, hon. and right hon. Gentlemen had said that the Bill was directed against *bonâ fide* political associations, and was not intended to repress crime. It was, therefore, important in considering whether such a Bill should be perpetually operative to understand thoroughly what its provisions were and against what it was directed. He did not think the right hon. Gentleman did justice to the argument of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour), when he

ridiculed his distinction as to the limitation of space as distinct from the limitation of time. In fact, there was in this Bill a limitation of space and a limitation of time. On the first point, it had to be noted that, saving one small exception, no part of the Bill came into force at all except in a proclaimed district. He denied that the Executive Government would proclaim districts without cause, or without carefully considering whether in the House of Commons they could justify their action. It was not just criticism of such a measure as this to assume that the Executive would proclaim districts wholesale or without having a case to lay before the House of Commons. In his opinion, a more unfair imputation could not be made than to say that the Government would proclaim districts in order to favour a class which was not directly benefited by the provisions of the measure. Criticisms had been made on the fact that the provisions of the Bill were made to depend on the action of the Lord Lieutenant. The right hon. Gentleman had referred to the *dicta* of jurists. There might be two opinions as to whether the passages were directed to the state of circumstances intended to be met by this Bill. Their case for the Bill was this. There was now in Ireland a state of things which justified the introduction of such a Bill, and in this belief the House had agreed when it decided to allow the Bill to be read a first and a second time. What were the considerations that ought to affect the House in deciding whether the Bill should be permanent in duration but limited as to space, so that the area to be proclaimed might be carefully considered? In the opinion of the Government, it was in considering the forces which were at work, and which might produce in Ireland in the future the same state of things which existed in Ireland at the time of the introduction of the Bill. The Government said that there had been proceedings in Ireland which were not lawful nor the spontaneous outcome of the feelings of the Irish people. They also said that there had been at work in Ireland forces closely connected with associations of the worst character, and that those forces had been supported not by the internal resources of Ireland, but by large sums of money coming from another country. They said, further, that the possibility of that kind of support and assistance, coming from the avowed enemies of England, was as great in the future as in the past. The Executive must be to a great extent—indeed, he thought, must be solely—the authority to determine whether that kind of crime existed in Ireland. It was because they had to deal with forces of that character, which worked in secret and by illegal means, and which might at any time produce in Ireland a state of things perfectly abnormal, that the Government thought that, although the provisions of the Bill had to be carefully considered, it was mostimportant that the Executive should be in a position to deal promptly and rapidly with such a state of things as existed at the time the Bill was introduced. The right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) had informed the House that the state of Ireland had improved during the months of April and May. Nobody could be more glad to hear that, and nobody would be more glad to know that it would never be necessary to put the provisions of this Bill in force, than the Members of Her Majesty's Government. But when they were arguing the question as to whether or not the power of putting the provisions of the Bill in force should be permanent, they ought not to shut their eyes to the possibility of the sudden operation of some illegal power with which the Executive Government ought to be in a position to deal rapidly. The right hon. Gentleman the Member for Newcastle-upon-Tyne) seemed almost to wish that there should be, at least triennially, a discussion as to whether or not a Bill of this kind was necessary. The Government hoped that, assuming they had inserted proper safeguards in the Bill—[An hon. MEMBER: Safeguards!]—proper safeguards to prevent its abuse, they had made the Bill a good working Bill, and that there would be no necessity for this constant re-debate, as to whether or not such a measure should be upon the Statute Book, because the very fact of the existence of the Bill, the knowledge that there were stringent powers that could be put in force, would deter, not the oppressed tenants, but those outsiders from coming to Ireland and stirring up agitation. The right hon. Gentleman the Member for New-

castle-upon-Tyne had given him an opening which he did not expect. He had said that the permanent nature of the provisions of this Bill was an admission that the other Bill the Government were about to produce would not meet the evils this Bill intended to cure. But he would point out to the right hon. Gentleman that that Bill was not intended to deal with the evils which this Bill was intended to cure. The Bill which the Government were about to produce was introduced for the purpose of improving the relations between landlords and tenants, for the purpose of putting an end to those scenes of eviction which had given rise to so much complaint in the House; and it was because the Bill now before the House had been framed with the honest intention of placing on the Statute Book a measure which would deal with crime, illegal conspiracy, and that infamous bane Boycotting, that the Government were able to stand up and say—"Your accusation against us that we do not want this Bill for suppressing crime, but for aiding the landlords, is unfounded." He was sure the right hon. Gentleman did not wish him to refer to the particular clause in the Bill which he had in his mind when he spoke of safeguards—namely, that which provided that an Address might be presented to Her Majesty by either House of Parliament against any Proclamation issued by the Lord Lieutenant. Of course, hon. Gentlemen below the Gangway might not consider that a safeguard; but the Government did consider it so, and believed that they thereby put a powerful limit on the unfettered control of the Executive. The Government hoped that with the spread of education, and with the improvement of the condition of things in Ireland, and with a knowledge on the part of the tenants that their grievances would be redressed on the floor of the House, it would be unnecessary to put the powers of the Bill into force. He must enter his most emphatic protest against the statements of the right hon. Gentleman the Member for Newcastle-upon-Tyne and of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) as to the scope of the Bill. He presumed that if he could satisfy those right hon. Gentlemen that this was a Bill for the repression of crime, and would be honestly worked for that purpose, the main argument against perpetuity would be gone. The real sting of the right hon. Gentleman's argument was that this Bill was framed to assist coercive landlords. He had challenged the right hon. Gentleman more than once to read any clause of the Bill which would bear that construction, and he now again protested against words being introduced into the Bill which were not to be found there. This same charge, at a celebration in the other Principality which had been invited to go in for Home Rule, took a somewhat extraordinary shape. The right hon. Gentleman the Member for Mid Lothian, speaking in Wales, said that this Bill was not directed against crime nor against illegal associations, but was directed against those associations which in England were called trade unions. Did it occur to the right hon. Gentleman when he made that statement to tell the audience he was addressing—not an audience in that House, but an audience that would take everything from him as stated with the most perfect moderation — that there was in this very Bill a clause which in express terms excluded trade unions from its operation? To say that this Bill was directed, as the right hon. Gentleman the Member for Newcastle-upon-Tyne said, in favour of coercive landlords or against those societies which in England were called trade unions, was, he humbly submitted, the language of misrepresentation with a meaning which was intended to be misunderstood. All he (Sir Richard Webster) said in conclusion was this—the Government did believe and hope that the mere existence of the Bill would have this salutary effect, that it would check the coming into Ireland of persons who had not got the interest of the tenants at heart, but had only their own interests to serve. Moreover, they hoped that the measure would affect those societies which were supplied with money and vigour by persons who were the professed enemies of England. They trusted and hoped that the Bill would have that effect, quite apart from its action upon the peasants and tenantry resident in Ireland. They also hoped that that kind of agitation which had led to the abominable tyranny of Boycotting would be put down speedily, and that all those who desired to be loyal

subjects of the Queen should be able to go about in Ireland without let or hindrance from those who desired to benefit, not the tenants, but themselves. They would not be satisfying themselves if, after inserting proper safeguards in the Bill, they were to say that they would make this only a temporary measure. If there should arise in England an agitation which would have an effect similar to that which the agitation in Ireland had produced, the Government would not hesitate to bring forward a similar measure for this country. The Government considered that, as far as the best interests of Ireland were concerned, they had taken a wise step in making this Bill permanent. They trusted that it might be seldom necessary to put its powers in force; but they also believed that the mere existence of it in the Statute Book would be a terror to the evildoers and an encouragement to those who did well.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I am sorry that the hon. and learned Gentleman has thought it necessary to include, in the speech in which he has stated the case of the Government against the clause of my right hon. Friend, so much matter which is strictly and indisputably in the nature of what he himself denounced—namely, a second reading speech. My own speech, in another part of the country, to which the hon. and learned Gentleman referred, had nothing whatever to do with this clause; and the invitation of the hon. and learned Gentleman to read out of the Bill certain portions in order to sustain the allegations which, on other occasions, we have justly and properly made is an invitation unnecessarily to prolong this debate in a manner of which I must say an example has very frequently been given by the Members of the Government itself. I will only say two things in order that I may not follow the bad example of the hon. and learned Gentleman, and I will do what I can to economize the time of the House. In the first place, I will sustain strictly on a proper occasion what I have said in South Wales or elsewhere as respects the special object of this Bill—not the exclusive object of this Bill—for I have never denied that crime was within the purview of this Bill; but I have said that its special object is to strike at that which is now not crime, either by bringing it within a new definition of crime, or else by placing civil rights under the discretion and control of the Executive Government. And then the hon. and learned Gentleman asks me to read certain portions of the Bill in order to sustain the argument. I will simply say that, in my opinion, as far as regards the creation of these new crimes, which appear to me to form the special object of the Bill, together with the 6th clause and the forfeiture of the civil rights now enjoyed—I refer, of course, to the first sub-section of the 2nd clause of the Bill—I will say I will make this admission to the hon. and learned Gentleman—that we have no right to stand upon any argument in this debate which, in the slightest degree, contravenes the previous decisions of the House. It appears to me that the hon. and learned Gentleman and the majority of the House ought to be very well satisfied. They have obtained the affirmation, by a large majority, of the provisions which they term moderate and necessary, and which we term violent and unprecedented. There is no question of objection being taken to those provisions by us further than to this very limited extent, and in these general terms—that the particular character of the enactments in this Bill is a special reason for giving it only a temporary operation. But we are not attempting in any way to sap or undermine the position of the majority or the position of the Government with respect to the measure. I did not intend to say a word further than to make a simple reference to these subjects, and I will avoid entering upon them now; but I will take the argument of the hon. and learned Gentleman in that very limited portion of his speech which seemed to me to apply to the subject-matter immediately before us. The hon. and learned Gentleman says this is a very good arrangement for the time of the House. It is alleged that this Bill has occupied a Session. Well, Sir, why has this Bill occupied a Session? When we come to the discussion of that matter, which I shall not enter upon now, I shall show the reasons why it has occupied a Session. For the present it is enough to say that this is the first Coercion Bill ever submitted to Parliament that has occupied a Session. In 1881, when we

had a Bill of a most stringent character for coercion—namely, the suspension of the Habeas Corpus Act, we likewise passed one of the most complex, most comprehensive, and most laborious measures ever submitted to Parliament. In 1882, when a new measure of coercion was introduced, it was not found incompatible with the passing of other important legislation. I decline, therefore, to admit that if this Bill be made temporary, the provisions which might be produced at the close of the term would occupy a Session, or that you have a right to take considerations of that kind into view in determining a case so grave as this is in point of Constitutional principle. What is the main contention of the hon. and learned Gentleman? Undoubtedly he is generous to admit that of the 56 precedents—or whatever they are—every one runs against him. But then he says —"We have introduced in this Bill the most wonderful safeguards." In broad contradiction to that statement, I say that he has introduced into it no safeguard whatever, so far as the whole subject-matter of Coercion Acts is concerned. He has, it is true, introduced an inefficient safeguard in the particular case of the 6th clause—that is to say, he has introduced as one portion of the novelties of this Bill a certain safeguard; but he has not introduced that safeguard in regard to the Bill at large. There is nothing of the kind in regard to the Bill at large, and the argument of the hon. and learned Gentleman as bearing on a comparison between this Bill and other Bills is of no force whatever, for his safeguard applies only to what is a novelty in this Bill, and not to any portion of the subject-matter which has been in former Bills of the same kind. What, then, comes of the argument from safeguards as a reason for pursuing a course entirely different in this instance from the course pursued by every Government on former occasions? I think it is very desirable to bring to the minds of the Members of the House a dispassionate consideration of some of those points which I do not think are in contention. It is admitted to be desirable that if Ireland is not to have a Legislature for the management of her own concerns she should be governed by equal laws. Down to the present time that principle has been recognized, at east to this extent—that when Parliament has thought it necessary to make laws for Ireland which were unequal, Parliament also has carefully made them temporary, thus showing that equality is the rule upon which you propose to proceed with respect to Ireland, and that inequality is to be occasional and exceptional. That has been recognized by provisions which would compel Parliament to resume the consideration of the subject, and which would afford every security that no Bill of restraint should be enacted against Ireland except upon positive proof of a present and actual necessity. It is often said, and I suppose it is admitted, that the great and fundamental evil in Ireland is the want of sympathy between the people and the law. Do you really think that the effect of this Bill will be to produce greater sympathy? Is this not the very method to increase and give intensity to that alienation and estrangement from the law which is the radical and fundamental evil of the social condition of Ireland? An hon. Friend of mine stated a fact, and gave his opinion upon it this evening. The fact which he stated was that the whole of the proceedings of the Government since the beginning of the Session with respect to this Bill and to many other matters have been in continuous contempt of usage and precedent. It appears to me that usage and precedent in this matter are on our side, and it is strange that those who are accused of going to dangerous extremes in Liberal principles should have to impress that truth upon a Government which calls itself Tory or Conservative. However that may be, in this case we stand not only on a course of precedent unusually long and unusually authoritative from the fact that it has received assent and support under a variety of circumstances, and from a variety of persons and parties, but that that precedent has stood on high and conclusive principles. I have shown with regard to safeguards that the allegation of the hon. and learned Gentleman does not cover the ground. It covers no part of the ground, except that portion of the innovations which he proposes to introduce into the law. A large part of these innovations in Sub-section 1 of the 2nd clause and all the old coercive matter are entirely untouched. The general character of this Bill—I admit the ne-

cessity—the general character of such a Bill as this is, and ought to be, to place legislative powers in the hands of the Executive Government. Under this Bill—and I am not making this a matter of blame; I am simply going to urge it for the purpose of illustrating the Motion of my right hon. Friend—under this Bill the condition of laws under which an Irishman lives is liable to be, and will be, vitally affected from time to time at the discretion of the Executive. Our pride and our joy and our satisfaction are and our hope is that we live under law and not under the discretion of a public Executive; and that, Sir, is why Parliament, not from blind superstition, and not from a mere feeling of sympathy with Ireland—although I think that feeling of sympathy ought to have led to the same conclusion—but that is the reason why Parliament has wisely, justly, and necessarily fixed periods to legislation of this kind, because it is legislation which essentially and of its nature goes to substitute Executive discretion for the action of the established and safe rule of law. Now I want to know the answer of the Government to that argument. There is nothing in the Attorney General's speech to touch it. Sweep away his statement about safeguards, which only touches one portion of the case, a portion of which he and his friends have the merit of being the authors and inventors. The whole argument remains upon the same ground as it did on former occasions, when it has invariably led every Government, Tory or Liberal, every Parliament, reformed or unreformed, in the days when borough-mongering was supreme—in the days when half the Members of this House were returned at the dictation of a number of gentlemen who might always be counted on the fingers, or, at all events, in a very few minutes—so formidable in those days even was the step thought of placing in the hands of the Executive such a discretion, that invariably the rule was adopted of fixing a period of time, so that the Government should come back to Parliament from year to year, or every two years, to prove that a real necessity for such legislation had existed and continued to exist. I have understated the case, because I have been speaking as if this Bill were a Bill analogous to other Bills; whereas it differs from other Bills in two respects, essentially and profoundly. I am not now going to say a syllable of condemnation. If I were to enter upon a description of the Bill, I am afraid that I should have to restrain my faculties, such as they are, and to exhaust the dictionaries to find words adequately to express what may be said about it. But that is not the matter in question. I am assuming that an adequate necessity exists, and granting that to be the case, upon your own principles, unless you are ready with a new set of principles and a new set of innovations, you ought to consent to the Motion of my right hon. Friend. The argument which was conclusive on the occasion of former Coercion Bills has acquired far greater force now, and why? For two reasons, perfectly definite in themselves. The first is the absence of agrarian crime in the country. I am glad there is no denial of that; it is too late to deny it. In a passage of the speech of the Attorney General for Ireland which I took down, in which he enumerated the liabilities of subjects, he said that nobody would be liable to be proceeded against under this Bill, except for some act which is now a felony, or which is now a misdemeanour, or some acts constituted an offence by the 2nd clause.

SIR RICHARD WEBSTER: Not by the 2nd clause.

MR. W. E. GLADSTONE: The Attorney General for Ireland said, "by the clause of this Bill against intimidation." That is the 2nd clause.

SIR RICHARD WEBSTER: I think the right hon. Gentleman is not quoting the Attorney General for Ireland quite correctly. That is not my recollection of my right hon. and learned Friend's statement.

MR. W. E. GLADSTONE: Will the Attorney General, then, be good enough to correct me? Whether the Attorney General for Ireland used the word "second" or not I will not say; but he said that a new offence was constituted by the Bill—and he said by a clause—either the 2nd clause or the clause against intimidation, and that is the 2nd clause. But I will give the Attorney General the whole benefit he can take from his criticism. New crimes are created by this Bill which were not crimes before. Besides that, what you are now doing, even with these safeguards, is of the greatest magnitude and novelty, and of a most critical and perilous character.

You are handing over the rights of the subjects to a free trial in open day to be disposed of secretly and silently at the discretion of the Lord Lieutenant, whenever he thinks fit to proclaim an association. I admit your safeguards; but with these safeguards this is of itself a tremendous extension of legislative power, and granting for a moment—though I cannot grant it for any other purpose—that you have sufficient cause for these tremendous innovations, yet their character as innovations, the constitution of new crimes, and the withdrawal from the ordinary tribunals of questions affecting the rights and liberties and property of subjects—these are reasons which give an immense additional force to these arguments, which on every other occasion have been deemed to be conclusive, for attaching a limitation in time for the Bill which you are about to pass. Well, Sir, I am at a loss to know what the Government have to urge in answer to these considerations. But this I will venture so say, with great respect for the ability of the Attorney General (Sir Richard Webster), who never fails to make the best of what can be said for the case he has in hand—there is not one word in the speech which he has delivered which in the slightest degree affords an argument against my right hon. Friend. But I hope there may be some minds—possibly some minds on this side of the House—I am not over sanguine—past experience has corrected that defect, which existed in me at the beginning of the Session—to whom arguments are arguments and facts facts, and precedents are precedents, and precedents made on strong Constitutional grounds become arguments of enormous force, and the appeal to arguments so constructed supplies a touchstone to the feeling of the British House of Commons and the means of judging whether we still retain that love of liberty and of public right, the safeguards of law which were dear to the hearts of our forefathers and which has made this country great.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): Much, Sir, has fallen from the right hon. Gentleman (Mr. W. E. Gladstone) which is not new to this House. But I listened to one or two of his arguments with unmixed and unfeigned astonishment and sorrow. The right hon. Gentleman dealt with the very grave question of the enormous expenditure of time that has taken place over this Bill, and he had the courage to insinuate——

MR. W. E. GLADSTONE: Not to insinuate, but to state.

MR. A. J. BALFOUR: I accept the correction. The right hon. Gentleman had the courage to state that the persons responsible for that expenditure of time were Her Majesty's Government. But his courage did not end there, for he drew a parallel between the expenditure of time in this Session and the time taken over Coercion Bills in 1881 and 1882. But does the right hon. Gentleman recollect the circumstances which make the greatest considerable difference between 1881-2 and the present year? To begin with, the Coercion Bill of 1881 consisted of one clause, or very little more. It was an ineffective and monstrous Bill, which did little or nothing to restore law and order, but did interfere with the liberty of the subject. Then, in 1882, the right hon. Gentleman had the advantage of getting rid of all the Irish Representatives at an early stage of the proceedings. They were all turned out of the House; and it was in these circumstances that the right hon. Gentleman was able to pass his Bill so rapidly. But that is not all—and this is, perhaps, the greatest difference—in 1881-2 you had an Opposition which thought it their duty to support the Government when the Government came forward with proposals for the restoration of law and order in Ireland. We are not, as a Government, so fortunate now; and, therefore, I do not think we are the people who deserve the reproach for the delay that has taken place over this measure. The right hon. Gentleman then went on to deride the safeguards which we have included in this Bill.

MR. W. E. GLADSTONE: I did no such thing.

MR. A. J. BALFOUR: I believe what the right hon. Gentleman did say was that the only safeguard that existed in the Bill was the one which affected the 6th clause of the Bill, and that that safeguard was limited in its operation. It is perfectly true that there was a safeguard with respect to the proclamation of a district under the Act of 1882. But it was limited in its operation. We ex-

tend that safeguard to every single clause, and every single part of every clause in this measure. How, then, can it be maintained with any show of plausibility that we have not been more careful to fence round our proposals with safeguards than our Predecessors were when they had to face the same difficult problem? Then the right hon. Gentleman says that our Bill creates new crime. The first sub-section of Clause 2 is, I understand, the part of the Bill to which the right hon. Gentleman specially refers. But this sub-section obviously does not create new crime. How does it begin?—

"Any person who shall take part in any criminal conspiracy now punishable by law."

These are not the words of a clause constituting a new offence; and yet this is the sub-section which the right hon. Gentleman chose as the illustration of his proposition that this Bill is a measure that creates new offences. The right hon. Gentleman also quoted some words attributed to the right hon. and learned Attorney General for Ireland (Mr. Holmes) to the effect that Clause 2 created new crimes. Now, no one on this Bench heard the right hon. and learned Gentleman say that, and we, who have been in constant consultation with my right hon. and learned Friend, know that not a single word in Clause 2 does create a new offence. It is true that in one sense the words of the 6th clause do create a new offence, for they enable the Lord Lieutenant to proclaim an association. But the Act of 1882 did precisely the same thing, and the same thing is done whenever the Riot Act is read; and we have virtually asked for the same power in this Act. I deny that Section 2 of the Bill creates a new offence, and a new offence is merely created in the technical sense in which I have described it. The right hon. Gentleman (Mr. W. E. Gladstone) and the right hon. Gentleman who moved the Amendment (Mr. John Morley) described the result of this Bill as being to brand Irishmen for all time with the stigma of unequal and exceptional legislation. Well, I, for one, admit that all Coercion Bills are to be regretted; but I should have thought that the insult inflicted by this measure—if insult there be—was far less than the insult inflicted upon Irishmen by those other Acts which the right hon. Gentleman quoted as precedents, and which applied to the whole of Ireland, to the parts which were quiet as well as to those which were disturbed. When those Acts have been in force there have been parts of Ireland as law-abiding as Hampshire is at this moment. These hon. Gentlemen, who are so sensitive lest an insult should be inflicted upon the law-abiding population of Ireland, are the very people who passed repressive measures applying to the whole of Ireland, while we only ask for a measure which shall apply where necessity appears to demand its application, and which will not apply where no such necessity exists. The right hon. Member for Newcastle-upon-Tyne tells us that the essence of tyranny is the application of uncertain and unequal laws to any part of the Kingdom.

MR. JOHN MORLEY: That was not what I stated. What I said was, that it was the essence of tyranny to have the Criminal Law one thing to-day in Ireland and another thing to-morrow at the discretion of the Executive power.

MR. A. J. BALFOUR: I do not think that those were the exact words of the right hon. Gentleman. But we do not apply an uncertain Criminal Law in Ireland. We leave the Executive an alternative between two certain laws. In that there is nothing of the arbitrary character of tyranny, which creates its own laws to punish what it chooses at any moment to consider an offence. The right hon. Gentleman brought forward the names of eminent jurists to support his contention that to pass a law like that under consideration was the essence of tyranny. Then the right hon. Gentleman opposite relies upon precedents, and says—"You have unbroken precedents for making these Acts temporary." If the right hon. Gentleman appeals to precedent, may not we appeal to experience? You have had these Bills one after another, following one another in melancholy succession since the Union—aye, and before the Union. Has your policy of restricting beforehand the period of the operation of these Bills proved a success, or has it not? Does not the right hon. Gentleman see that if Parliament laid down that at the end of three, four, five, or six years, a Bill of this kind shall *ipso facto* lapse, it takes upon itself an infallibility of prophecy which the very nature of the circumstances shows to be fallacious?

[*First Night.*]

You cannot foresee for how long your Bill will be required. If it succeeds in repressing crime its very success is quoted as a reason for its repeal, although it may itself be the sole cause of the improvement in the state of the country, which is seen. This difficulty will be avoided by our Bill, for if the Government of the day is of opinion that a part of Ireland where the measure is in operation has become peaceable and law-abiding, it can withdraw the Proclamation with the knowledge that, if necessary, it will again be able to use the measure for the repression of crime in the same locality without having, in the first place, to come to Parliament and to spend an immense amount of time in debate upon the expediency of legislation. Then, ought we not to consider England, Scotland, and Wales in connection with this matter? Does the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) really think it a proper and appropriate thing that every four or five years Parliament should be occupied for a whole Session with the same subject—a subject which blocks all other Business, and prevents the passage of salutary measures, not only for England, Wales, and Scotland, but actually for Ireland herself? The right hon. Gentleman the Member for Mid Lothian and his Colleagues in 1885—when the then Conservative Government declined to renew the Coercion Bill—did not hesitate to declare that they adopted that course from electioneering motives. When they made that accusation they either believed it or they did not. If they did not believe it, did they not stretch the licence of political criticism beyond the limit which even their elastic consciences can approve? But if they did believe it, do they not think that it is highly expedient to remove this stumbling block for ever from the path of Governments in this country? Right hon. Gentlemen opposite, I suppose, are of opinion that their virtue is of so robust a character that were the temptation to which they allege we yielded presented to them they would thrust it aside with Spartan firmness. They say that our virtue is of a far weaker character; but, nevertheless, by this Bill we are endeavouring to remove a blot from the working of political and Constitutional government in this country. Can they not, then, have some regard for our weakness, and would it not be wise to remove the temptation whether it has been yielded to or not—the temptation to purchase Irish votes by the sacrifice of Irish law and Irish order? The right hon. Member for Newcastle-upon-Tyne has told us that though our Bill was in one sense permanent it would not really be permanent, because this and that Administration would limit its operation and so break that continuity which Lord Salisbury has shown to be the elementary condition of good government in Ireland. Well, the Bill will not have that cast-iron permanence which would compel every succeeding Government to apply it to every part of Ireland, whether the state of the country required it or not; but it has this far more important quality—we shall know that until this Bill is repealed no individual party or association will be able in any part of Ireland to propagate opinions.

MR W. REDMOND (Fermanagh, N.): You have let the cat out of the bag now.

MR. A. J. BALFOUR: To propagate opinions for the encouragement of crime. It will be known that the Government of the day has at its hand an instrument by which without delay, without pause, such efforts may be counteracted. That is why we regard it as a vital and essential element of our Bill that it shall not be temporary in its operation. We hope that the area of Ireland over which it will ever be necessary to use it will be but a small part of the country; we hope that for years together it may be possible to allow the Bill to remain quiescent; but we do not think that we should be doing a good service to our Successors in Office or to the Parliamentary Constitution of this country, or to the true interests of Ireland, if, yielding to the pressure of right hon. Gentlemen opposite, we were to accede to the proposal to introduce into the Bill the clause proposed by the right hon. Member for Newcastle-upon-Tyne.

SIR WILFRID LAWSON (Cumberland, Cockermouth) said, he must congratulate the Chief Secretary for Ireland on having made a much better speech than usual. But, good as it was, it did not satisfy him. Now they had got the Jubilee over, they ought to regard this as a day of humiliation for

the House and the country, because by the present Bill they were called upon to say that Parliamentary government, of which they professed to be so proud, was a failure over a considerable portion of Her Majesty's Dominions; that Irishmen were irreconcilable foes; that their attitude towards Ireland was to be one of war; and that they were to rule that country by the power of 30,000 bayonets instead of attending to the views of her freely elected Representatives. That was a humiliating state of things, but it was still more humiliating to be told by the Government that that state of things was to be permanent. In the words of Sir George Trevelyan—"To place at the disposal of the Irish Government, constituted and advised as it is, the powers contained in the 6th and 7th clauses, was to lay Ireland bound hand and foot as it had never been in our day at the mercy of the Party of ascendancy in Ireland, which Party never governed justly and mercifully and never will." If, after that statement, any Liberal voted against the clause of the right hon. Gentleman the Member for Newcastle every rag and remnant of Liberalism would be torn from him, and he would stand before the country naked and deformed as a Tory. There was an old saying that experience was a dear school, but it was the one in which fools would learn. What he was going to say was that some people were so extremely foolish that they did not even learn in that school. All the experience they had had in Ireland had taught the Tories nothing. A gentleman passing his stable one day heard a noise inside, and on looking in and inquiring the cause he was informed that the mare would not have the harness put on her, and the groom was pacifying her with a pitchfork. They were trying to do that with Ireland, but they would never pacify her with a pitchfork. As to this Bill being repealed, they must remember that they had to reckon with the House of Lords, which was nothing but a great trades union of landlords. There had been no national verdict on this coercive policy of the Government, and it was the duty of Liberals to do all in their power to secure such a national verdict. The noble Lord the Member for Rossendale (the Marquess of Hartington) said—"Let this Bill pass, because we shall have a National Party."

MR. GEDGE (Stockport) rose to Order, and asked whether the observations of the hon. Baronet were germane to the point under discussion?

MR. SPEAKER: I do not think the hon. Baronet has been keeping closely to the Question before the House.

SIR WILFRID LAWSON said, the duty of those who were called Gladstonians was to fight shoulder to shoulder with the Irish Members, to stick to them, and to make the Union firm and strong—strong as the union existing between the Tories and the Unionists. They intended to fight the Bill at every stage; and, though beaten on this occasion, never to flinch from the policy of conciliation to Ireland, which was the only hope for this country, and which would do more than anything else to promote the safety, honour, and welfare of the Empire.

MR. W. REDMOND (Fermanagh, N.) said, that the Chief Secretary for Ireland had let the cat out of the bag when he said that after this Bill was passed it would no longer be possible for any association or party to go about Ireland propagating their doctrines. That was exactly what the Bill was framed for. It would leave crime untouched, and put down the political organization which had done everything to lead the people from the paths of crime. The Government wished to strike at the National organization which had united the Irish people in their demand for independence. The right hon. Gentleman had qualified his statement by adding the words "by the encouragement of crime;" but it was a foul calumny to say that the National League had ever encouraged crime. They had the testimony of Lord Spencer and Sir George Trevelyan upon that point, as well as the testimony of the Irish Members. The National League had done more to check crime and outrage than all the Coercion Acts passed since the Union. He believed that if crime were to break out to-morrow in Ireland the Government would be well satisfied. The refusal of the Government to accept the clause of the right hon. Member for Newcastle would have the effect of showing the people of England and the civilized world generally that it was not the intention of the Government to conciliate, but to coerce and drive the Irish people down at all times and under all

circumstances and under all Governments. The action of the Government that night would sound the death-knell to the hopes of the Irish people ever getting anything that would satisfy them from that House, or rather from that Government, because it showed that the beginning and the end of their policy was coercion, and permanent coercion. He looked upon the Bill as a declaration of permanent war between England and Ireland, and he believed that the great bulk of the people of Ireland would look upon it in the same light. They talked in this Jubilee time about uniting the bonds of the British Empire, of drawing closer to the Throne those various peoples who composed the mighty whole of the British Empire; but did they think the Irish people were going to be made more loyal by a Jubilee Bill like this—a Coercion Bill which was to last for all time? He wished to God the Irish people had the means of opposing this Bill as it should be opposed. Where in the history of tyranny was there an Act more calculated to make the blood of men boil in madness in their veins than this attempt to saddle on the people of Ireland a Bill which deprived them of all the rights dear to Irishmen? The English-blooded Colonists of America, for less than this, threw off the yoke of England; and was it a pleasant thing for the English Government to know that there was a spirit amongst the people of Ireland which would induce them, if they had the chance, to oppose the measure with arms in their hands? He believed, for his part, that life in Ireland as a Nationalist, under the Coercion Bill, would become a degraded thing. Death would be much preferable to life under such a measure. If the Government were not cowards as well as tyrants they would give the Irish people the chance of fighting for their liberties with arms in their hands, and of showing that their feeling against this Bill was not only a feeling that found expression in words, but a feeling that stirred the lion heart—the Irish heart—to a flame, and to meet England, if there was anything like equal odds, on the battle field, and die rather than live in a country trampled under by such infamous laws. By this Bill the Government were trying to make bitter the feelings of hatred which had always been entertained by the people of Ireland towards England, and were trying to undo the good work for Ireland undertaken by the right hon. Member for Mid Lothian and other English gentlemen, who had stepped out of the ranks of bigotry and ignorance to endeavour to do justice to Ireland. He (Mr. W. Redmond) had been second to no man in his hatred of England, and though on the head of the Government the blood would rest if there were crime in Ireland as a result of the Bill, he appealed to the people of Ireland to refrain from violence and continue to trust in the goodwill of right hon. Gentlemen on that side of the House, who were determined that justice should be done to Ireland. The Chief Secretary for Ireland had made statements regarding Ireland which were baseless and without the slightest foundation.

DR. TANNER (Cork Co., Mid): That is characteristic of him.

MR. SPEAKER: Order, order! Do I understand the hon. Gentleman to have used the expression, "That is characteristic of him?"

DR. TANNER: Yes; I said characteristic.

MR. SPEAKER: Then the hon. Gentleman will withdraw the expression.

DR. TANNER: Well, Sir, of course, if it is not in Order I will withdraw it.

MR. SPEAKER: Order, order! When I ask the hon. Gentleman to withdraw, I expect a withdrawal in the manner that this House is accustomed to.

DR. TANNER: If you order me to withdraw it, Sir, I will withdraw it.

MR. W. REDMOND, in conclusion, said, the Irish people would continue to believe in the ultimate triumph of the principles of the right hon. Gentleman the Member for Mid Lothian; and, permanent though the Coercion Bill might be, still more permanent was the determination of the Irish people to get the management of their own affairs.

Question put.

The House *divided:*—Ayes 119; Noes 180: Majority 61. [7.58 P.M.]

AYES.

Acland, A. H. D.	Biggar, J. G.
Acland, C. T. D.	Blake, T.
Anderson, C. H.	Blane, A.
Austin, J.	Bolton, J. C.
Balfour, Sir G.	Broadhurst, H.
Balfour, rt. hon. J. B.	Byrne, G. M.
Barran, J.	Cameron, J. M.

Campbell, H.
Carew, J. L.
Chance, P. A.
Channing, F. A.
Childers, rt. hon. H. C. E.
Clark, Dr. G. B.
Cobb, H. P.
Connolly, L.
Conway, M.
Cox, J. R.
Dillwyn, L. L.
Ellis, T. E.
Esslemont, P.
Ferguson, R. C. Munro-
Flower, C.
Flynn, J. C.
Foley, P. J.
Forster, Sir C.
Fox, Dr. J. F.
Fuller, G. P.
Gill, T. P.
Gladstone, rt. hn. W. E.
Gourley, E. T.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Harris, M.
Hayden, L. P.
Healy, M.
Holden, I.
Hooper, J.
Howell, G.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kennedy, E. J.
Kenny, C. S.
Kenny, M. J.
Lawson, Sir W.
Leahy, J.
Leake, R.
Lefevre, right hon. G. J. S.
Macdonald, W. A.
Mac Neill, J. G. S.
M'Cartan, M.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Laren, W. S. B.
Molloy, B. C.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P.
O'Brien, P. J.
O'Connor, J. (Kerry)
O'Connor, T. P.
O'Hanlon, T.
O'Hea, P.
O'Kelly, J.
Parnell, C. S.
Pease, Sir J. W.
Pease, A. E.
Pickard, B.
Pickersgill, E. H.
Picton, J. A.
Powell, W. R. H.
Power, R.
Quinn, T.
Redmond, W. H. K.
Reid, R. T.
Reynolds, W. J.
Roberts, J.
Roberts, J. B.
Robinson, T.
Rowlands, J.
Rowlands, W. B.
Russell, E. R.
Sexton, T.
Sheehan, J. D.
Shirley, W. S.
Smith, S.
Stack, J.
Stevenson, F. S.
Stuart, J.
Sullivan, D.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Tuite, J.
Wallace, R.
Wayman, T.
Will, J. S.
Williams, A. J.
Williamson, J.
Williamson, S.
Wilson, C. H.
Wilson, H. J.
Wilson, I.
Woodall, W.
Woodhead, J.
Wright, C.
Yeo, F. A.

TELLERS.

Marjoribanks, rt. hon. E.
Morley, A.

NOES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Amherst, W. A. T.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, G. S.
Baggallay, E.
Balfour, rt. hon. A. J.
Balfour, G. W.
Banes, Major G. E.
Barry, A. H. Smith-
Barttelot, Sir W. B.
Bates, Sir E.
Beaumont, H. F.
Beckett, E. W.
Bentinck, W. G. C.
Bethell, Commander G. R.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brown, A. H.
Bruce, Lord H.
Burdett-Coutts, W. L. Ash.-B.
Caine, W. S.
Caldwell, J.
Campbell, J. A.
Chamberlain, rt. hn. J.
Chamberlain, R.
Charrington, S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Coghill, D. H.
Colomb, Capt. J. C. R.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Currie, Sir D.
Dalrymple, C.
Davenport, H. T.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Dixon, G.
Donkin, R. S.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Egerton, hon. A. de T.
Elton, C. I.
Ewing, Sir A. O.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finlay, R. B.
Fisher, W. H.
Fitzwilliam, hon. W. J. W.
Fitz-Wygram, General Sir F. W.
Fletcher, Sir H.
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Gathorne-Hardy, hon. J. S.
Gedge, S.
Gent-Davis, R.
Gibson, J. G.
Giles, A.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Grimston, Viscount
Gunter, Colonel R.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hardcastle, F.
Hartington, Marquess of
Havelock-Allan, Sir H. M.
Heathcote, Capt. J. H. Edwards-
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, Colonel E. S.
Hoare, S.
Hobhouse, H.
Holland, right hon. Sir H. T.
Houldsworth, W. H.
Howard, J. M.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, E.
Hughes-Hallett, Col. F. C.
Hunt, F. S.
Isaacson, F. W.
Jackson, W. L.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kenrick, W.
Kenyon-Slaney, Col. W.
Ker, R. W. B.
Kerans, F. H.
King-Harman, right hon. Colonel E. R.
Knatchbull-Hugessen, H. T.
Knowles, L.
Lambert, C.
Lethbridge, Sir R.
Lewis, Sir C. E.
Low, M.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, J. M.
M'Calmont, Captain J.
Mallock, R.
Matthews, rt. hn. H.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
Mildmay, F. B.
More, R. J.
Morgan, hon. F.
Morrison, W.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Newark, Viscount
Noble, W.
Norris, E. S.
Northcote, hon. H. S.
Plunket, right hon. D. R.
Plunkett, hon. J. W.
Powell, F. S.
Quilter, W. C.
Raikes, rt. hon. H. C.
Reed, H. B.
Richardson, T.
Ritchie, rt. hn. C. T.
Robertson, J. P. B.
Robinson, B.
Rollit, Sir A. K.
Ross, A. H.

[*First Night.*]

Sellar, A. C.	Tyler, Sir H. W.
Sidebotham, J. W.	Vernon, hon. G. R.
Sidebottom, T. H.	Vincent, C. E. H.
Sinclair, W. P.	Walsh, hon. A. H. J.
Smith, rt. hon. W. H.	Webster, Sir R. E.
Stanley, E. J.	Weymouth, Viscount
Stewart, M. J.	White, J. B.
Sutherland, T.	Whitley, E.
Swetenham, E.	Wortley, C. B. Stuart-
Sykes, C.	Wright, H. S.
Tapling, T. K.	Wroughton, P.
Taylor, F.	Yerburgh, R. A.
Temple, Sir R.	
Thorburn, W.	TELLERS.
Tollemache, H. J.	Douglas A. Akers-
Townsend, F.	Walrond, Col. W. H.
Trotter, H. J.	

Mr. CHANCE (Kilkenny, S.), in rising to move that the following Clause be added to the Bill:—

"A person convicted by a special jury or by a court before which his trial has been had by virtue of an order made under section four of this Act may appeal either against the conviction and sentence of the court or against the sentence alone to the court of appeal on any ground, whether of law or of fact; and the court of appeal shall have power after hearing the appeal to confirm the conviction and sentence, or to enter an acquittal or to vary the conviction and sentence: Provided that—

"(*a*) The conviction shall not be varied save by substituting a conviction for some less offence, for which the court by which the trial was had, had jurisdiction to convict the appellant; and

"(*b*) The sentence shall not be increased,"

said, that in the Act of 1882 there were three Judges whose conduct could be inquired into by that House; and although those three Judges might be unanimously in favour of a conviction in any case under the Act which was brought before them, it was thought right to give a prisoner the right of appeal. Under Clause 4 of the Bill the Crown had the power to transfer the trial of a prisoner from one county to another at the very last moment; and he had no doubt the provision would be exercised when the Crown would be in a position to know they would be able to get a Judge in a certain district of the kidney of Judge Lawson or Judge O'Brien who might be relied upon to convict by hook or by crook. It was absolutely necessary there should be some right of appeal; and he did not see how the Chief Secretary for Ireland could decline to accept a clause of such a simple and effective character as the one he had moved.

New Clause (Appeal to lie in certain criminal trials,)—(*Mr. Chance,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

The ATTORNEY GENERAL (Sir Richard Webster) (Isle of Wight) said, it was not possible for the Government to accept this clause. So far as this Bill was concerned, no change of tribunal was contemplated, that being reserved for the new Bill which the Government intended to introduce. If the hon. Member referred to the Act of 1882, it would not be found to support his proposition. He was of opinion that no case had been made out to induce them to grant this right of appeal. Where trial by jury was not possible the Government might contemplate trial by another Court, and when that proposal came before the House it might then be proper to raise this question of appeal.

Colonel NOLAN (Galway, N.) said, it was very gracious of the hon. and learned Gentleman to arouse the interest of the Irish Members in the new Coercion Bill. Probably he thought they would petition for an Autumn Session. He would remind the Attorney General that when the Grand Committee on Law had a measure for the amendment of the general Criminal Law of England under its consideration a proposal for giving a right of appeal in all serious criminal cases received the support of the previous Law Officers of the Crown and other high legal authorities. Again, the Court of Cassation in France corresponded very much to what was now proposed under that new clause, and in several of the United States of America a similar kind of appeal existed. The request which the Irish Members now made was a very moderate one; but the Government apparently did not care for any Irish public opinion, and thought they might safely override it, relying on what the London newspapers described as the rising wave of English public opinion. They would, however, perhaps discover before very long that the sentiment of the English people was really against their coercive policy.

Mr. ADDISON (Ashton-under-Lyne) said, that the hon. and gallant Member for Galway (Colonel Nolan) was entirely in error in supposing that an appeal similar to that proposed by this clause was given in France to the Court of Cassation. There was no appeal from

any Court of Assize in France to the Court of Cassation on any matter of fact; but the appeal was entirely on a matter of law, and there was no power to vary the conviction or the sentence. The Court of Cassation could only say that a mistake had been made on a matter of law or of form, and send the case back to another Court of Assize that it might be tried over again, with the direction on the matter of law which was given by the Court of Cassation.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. MAURICE HEALY (Cork) said, the hon. and learned Attorney General was scarcely dealing with the arguments of his hon. Friend (Mr. Chance). On his main argument he did not venture to say a single word. It was quite true that the analogy of the Crimes Act was hardly in point in moving this clause, seeing that the right of appeal under the Crimes Act was only given in the case of trials which were had before a Commission of Judges. What his hon. Friend mainly relied on was the provisions of the Criminal Code which successive Governments had supported in the House, and which contained a provision similar to this. It was within his recollection that a Bill embodying the principle of a Court of Appeal in all criminal cases actually passed through both Houses, and was only abandoned because the Government regarded it as the complement of another Bill which they failed to pass through the House of Commons. The proposal contained in the clause was most reasonable, and he hoped it would be enacted as some mitigation of the provisions of the Bill. Such a provision as that now before the House would have prevented the alleged miscarriage of justice in the Maamtrasna and other cases.

MR. M'CARTAN (Down, S.) supported the Amendment, and expressed his opinion that if even now there were an appeal in the Crossmaglen, Barbavilla, and Maamtrasna cases the verdicts of the juries would be reversed, and such men as Bryan Kilmartin and others now suffering an unjust imprisonment would be set at liberty.

MR. TUITE (Westmeath, N.) said, they believed in Westmeath that if a Court of Appeal existed they could conclusively prove the innocence of the Barbavilla prisoners. Evidence establishing the innocence of an accused person often came to light after his conviction. Why was this Amendment refused? Was it because the Government feared exposure of the means by which they had procured convictions? The Barbavilla prisoners, he believed, were convicted because they were Land Leaguers. One of these gentlemen, Mr. M'Cormack, who held 300 acres of land, happened to be secretary to the Land League; and he (Mr. Tuite) and the people of the County Westmeath were convinced that he was sent to penal servitude for no other reason. He advised the Government not to reject the Amendment, as the result of rejecting it would be to condemn many innocent men to waste their lives in prison.

MR. O'HEA (Donegal, W.) said, that the object of this Amendment was to make provision for the better administration of the Act, and to provide that persons who had serious, solid, and earnest grounds for appealing against decisions which they considered unfair and unjust might have the right to have those decisions reviewed in the ordinary course before a Court which would command more respect than a tribunal of Resident Magistrates of the class and calibre of Captain Plunkett.

MR. M. J. KENNY (Tyrone, Mid) said, the Government refused to give persons brought before a Court of Summary Jurisdiction the right to appeal; and yet they had at the present time, when no Coercion Act was in force, examples of the utter incapacity of certain Resident Magistrates to discharge their duties in a fair and impartial spirit.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) said, that the Amendment only referred to trials by jury, and Resident Magistrates could not try cases with juries.

MR. MAC NEILL (Donegal, S.) said, that the power of pardoning which the Home Secretary possessed in this country, in Ireland belonged to the Lord Lieutenant, who was a political officer, and would be bound to act under the advice of the Chief Secretary.

SIR JOSEPH M'KENNA (Monaghan, S.) said, he would appeal to the Government—if they could not accept the pre-

sent Amendment—to bring up some clause giving the right of appeal in the class of cases referred to in the Amendment. He thought that justice would be more effectively carried out if the tribunal before which the case first came was conscious that there existed a right of appeal.

Question put.

The House *divided:*—Ayes 96; Noes 145: Majority 49.—(Div. List, No. 260.)

Mr. CHANCE (Kilkenny, S.), in moving the following Clause:—

"(1.) The evidence taken on a trial before a special jury, under section three of this Act, or at a court of assize at which such trial has been ordered to be had, under section four of this Act, the charge to the jury delivered by the judge, and the applications (if any) made on behalf of the accused to the judge, together with the judge's replies thereto, shall be taken down by a shorthand writer, who shall be sworn to take the same accurately, to the best of his ability.

"(2.) The original shorthand notes so taken may be used as evidence in any proceedings in error or in appeal.

"(3.) A true transcription of such shorthand notes or any part thereof shall be supplied to the accused or his solicitor on payment of the sum of twopence for each folio of seventy-two words in the same,"

said, that if the necessity existed in the case of the three Judges of keeping an accurate record of the proceedings at these trials, there was a double necessity in the case of proceedings in connection with a trial before 12 irresponsible jurors who would rejoice in the chance of convicting a Nationalist. Several Irish Judges had the fullest confidence of the Irish people. He would quite admit that no necessity would exist for keeping such a check on the proceedings of the Court of a Judge like the Chief Baron or Baron Dowse or Justices Andrews or Harris; but he must recollect that that was a permanent Bill, and there had been Judges on the English Bench such as Scroggs and Jeffreys, and there might be Judges in Ireland who would creep into their position on the Irish Bench through the back stairs of Dublin Castle, and who would be anxious to acknowledge their reward by complaisantly carrying out the behests of the Executive.

New Clause (Proceedings on certain criminal trials to be reported in shorthand,)—(*Mr. Chance,*)—*brought up*, and read the first time.

Sir Joseph M'Kenna

Motion made, and Question proposed, "That the Clause be read a second time."

The SOLICITOR GENERAL for IRELAND (Mr. Gibson) (Liverpool, Walton) said, it was impossible for the Government to accept the Amendment, which was really consequential on the one just decided. The only reason which could render the Amendment necessary would be if an Appeal Court was constituted. But the House had disposed of that subject. It might or might not be a desirable thing to have shorthand notes; but he would call the hon. Member's attention to this fact—the present Bill was not a Bill to alter the general law of the country, but it was a Bill to carry out certain necessary provisions to make the Criminal Law effective in particular cases in which the Lord Lieutenant had thought it necessary to issue a Proclamation. To limit the shorthand note to cases where the Lord Lieutenant had issued his Proclamation, or where the trial was held where there had been a change of venue or a special jury, would imply that the tribunal the Government had selected was the very tribunal which, in the opinion of that House, required its proceedings to be checked by a shorthand note. That was a view which would make it utterly impossible for the Government to support it, because the very reason they had added Clauses 3 and 4 was to get an independent and fearless tribunal not influenced by partiality or terror. For these reasons the Government found it impossible to accept the Amendment.

Mr. MAURICE HEALY (Cork) said, the hon. and learned Gentleman had entirely failed to meet the case made out by the hon. Member for South Kilkenny. There were several cases in which a record of the proceedings at a criminal trial would be desirable, and they had a number of precedents for the employment of a shorthand writer. The proceedings of the Chief Land Commission Court in Ireland had always been reported by a shorthand writer, and that House had from time to time ordered Returns founded on the shorthand writer's notes. If the Government acceded to that Amendment, it would enable the public to form a correct opinion on the points involved when any discussion arose as to the adminis-

tration of that Act. He ridiculed the argument of the hon. and learned Solicitor General that the acceptance of the Amendment would imply that the Government had no faith in their own tribunals, and he thought that Members on the Government side of the House ought to admit the reasonableness of the contention of the Irish Members, and provide against the mischiefs which they pointed out.

MR. M. J. KENNY (Tyrone, Mid) said, the right hon. and learned Attorney General for Ireland had stated that the Government did not intend to administer that Act unfairly; and if the right hon. and learned Gentleman were really serious in that statement, he could not do better than accept the Amendment. The clause proposed by his hon. Friend was an undoubted safeguard, and yet it was opposed by the Government.

Question put.

The House *divided:*—Ayes 135; Noes 196: Majority 61.—(Div. List, No. 261.)

MR. CHANCE said, he rose to move the insertion of the following Clause:—

"A sheriff or sub-sheriff uttering or returning any panel of jurors in violation of any provision of 'The Juries Procedure (Ireland) Act, 1872,' shall be guilty of a misdemeanour, and upon conviction be liable to pay a fine not exceeding five hundred pounds, or be imprisoned as a misdemeanant of the first division for a period not exceeding two years from the date of his conviction."

In his opinion, nothing tended more to undermine the confidence of the people in the administration of justice than any interference with the jury panels. But they knew that such interference had frequently occurred in Ireland, and always without entailing any punishment upon the Sheriffs. The hon. Member instanced two recent cases—the trial of the Woodford prisoners at Sligo and the trial of Mr. Dillon and his Colleagues for criminal conspiracy, in Green Street—in which a gross misfeasance had taken place, and in which the Sheriffs had entirely escaped punishment. The insertion of such a clause as this was, therefore, he contended, absolutely necessary.

New Clause (Certain violation of the Juries Act a misdemeanour,)—(*Mr. Chance,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) said, he must decline to accept the Amendment. This was not a Bill for amending the general Criminal Law of Ireland, but a Bill intended to serve a particular purpose. In the cases alluded to by the hon. Member it had been decided that the Sheriff had been guilty of no fraud or partiality whatever. The Jury Law of Ireland was extremely complicated, and if the Amendment were adopted a Sheriff who committed some mere technical error in connection with the jury panel would be liable to the punishment of a heavy fine. Under the law as it now stood, if a Sheriff, from wilful, corrupt, or partial motives, violated the provisions of the Acts for the empannelling of juries, he would be guilty of a misdemeanour; but that every slip, however innocent, which the Sheriff might make in the case of a complicated Code should be visited with criminal consequences was a proposal which the Government could not accept.

MR. MOLLOY (King's Co., Birr) said, that as the Bill created new crimes heretofore unknown to the law, greater care in the administration of the law was required. The hon. and learned Gentleman could hardly suppose that any sane man would propose to punish a Sheriff for what was a mere technical and unintentional error. No such punishment could take place, because no real offence would have been committed under those circumstances, and yet this was the ground gravely put forward by the Solicitor General for refusing to accept the Amendment. The object of this Amendment was to protect the people of Ireland from such gross misconduct in connection with the jury panels as George Bolton had practised for such a long period in Ireland.

MR. GIBSON said, that Mr. Bolton had nothing whatever to do with the Sheriffs in the discharge of their duty.

MR. HUNTER (Aberdeen, N.) said, that perhaps the objection of the Solicitor General for Ireland might be removed by inserting the word "knowingly," so as to make the clause read—

"Knowingly uttering or returning any panel of jurors in violation of any provisions of the Juries Procedure (Ireland) Act, 1872."

MR. MAURICE HEALY said, that the errors of the Sheriffs were always against the prisoners, and the House ought to intervene to prevent the miscarriage of justice which from time to time occurred through their action. It was absolutely impossible for prisoners to prove that the Sheriff acted with partiality, fraud, or wilful misconduct, because all the material on which such a charge could be made was in the possession of the Sheriff. Mr. Davys, in Sligo, did not make the plea that the Jury Laws were too intricate for his great mind. Not at all—he admitted that he never read them. The Jury Laws were not by any means so complex as the Solicitor General said. They were only intricate for the purposes of argument in the House; and he was sure that if the Irish Members introduced a Bill to amend them they would be told that the Jury Laws were perfectly plain. In any case, whether they were simple or complex, the Sub-Sheriffs were paid for understanding them.

MR. FLYNN (Cork, N.) said, the refusal of the Government to accept a clause framed in a fair and just spirit would do much to intensify the contempt for the law which at present existed in Ireland. He must strongly protest against the injustice which would be done to peasants under the Bill by increased burdens and redoubled coercion.

MR. M'CARTAN (Down, S.) said, he felt bound to protest against the conspiracy of silence on the Government Benches. Was the refusal of the Government to accept this Amendment meant that they desired to shield the Sheriffs and Sub-Sheriffs, who were found guilty of violating their duties?

MR. E. HARRINGTON (Kerry, W.) said, the Irish Members from their childhood had had experience of the malpractices which they now denounced; and all they asked, as the Act was to be administered by officials who hated the people, was that if these officials did more than the letter and the word of the Act permitted them to do, they should be punished according to merit.

Question put.

The House *divided*:—Ayes 107; Noes 221: Majority 114.—(Div. List, No. 262.)

MR. CHANCE (Kilkenny, S.): I do not propose, Sir, to move the clause which I have on the Paper by which I proposed to provide that on convictions in criminal trials the juries should decide as to the punishment of the accused. I proceed to move the next clause which stands on the Paper in my name, and which has reference to the procedure on prosecutions for intimidation. In moving this clause I feel under some considerable disadvantage, because we have already in the body of the Bill agreed to a definition of the word "intimidation," without Amendment, discussion, or argument. That definition occurs in Clause 19 which, by the Rules of the House, was put to the Committee without any Member having an opportunity of discussing or moving Amendments to it. We are, therefore, in this difficulty—that we are discussing a new clause without having previously discussed that part of the Bill to which the new clause relates. My clause is in two sections; the first part of it says—

> "No conviction shall be had under section two of this Act, in respect of intimidation, unless the summons or warrant originating criminal proceedings in respect thereof specified by name the person or person alleged to have been intimidated."

Section 2, to which reference is here made, the House will remember is the summary jurisdiction section of the Bill. The second part of my clause provides—

> "No conviction under section two of this Act shall be had or maintained in respect of intimidation if the person alleged to have been intimidated on oath declares that he has not, by such alleged intimidation, been put in fear for his person, property, or reputation."

I must confess that the second portion of my clause really does provide that which is, to some extent, inconsistent with the definition of the term "intimidation" in the Bill. In dealing with the first portion of my proposal, I will not detain the House any length of time. Up to the present where an offence is alleged under Section 2 of the Bill, a person may be prosecuted and convicted without the summons or warrant originating the criminal proceedings specifying the name of the person or persons alleged to have been intimidated. It is necessary that in criminal proceedings, in respect to murder or assaulting the person, that the person alleged to have been murdered or assaulted shall be specified, and I do not see why the same should not be necessary in regard to the

offence of intimidation. I can draw no distinction in this respect between the offences I have mentioned and the offence of intimidation—they are all personal offences. Obviously, the reason the Government have drawn up their Bill in the form in which it stands is that they desire to punish people for intimidation where no person has been intimidated. That would be prevented by the simple clause I move. If any individual should be so seriously intimidated as to render it desirable for the Criminal Law to interfere, the Government, with all their resources, should be in a position to say who it is has been intimidated. If they are not able to say that I am curious to know why they should be allowed to institute a prosecution against any person in respect to the offence of intimidation. In respect to the second section of my clause, I think it is extremely reasonable, and that the Government would have nothing to fear by adopting it. They will hardly maintain that a person alleged to have been intimidated will come forward and commit perjury when that allegation is made if it is a real and true statement of the case. The Government have taken up the time of the House now for a considerable period by the passage of their Criminal Law Amendment Bill, and they have declared that the powers they are taking are ample to protect the law-abiding, and to put down disorders of every kind. If that be so, how can it be for a moment held that intimidation may exist to such a terrific extent that persons alleged to have been intimidated, when called upon to give evidence, will perjure themselves in denying the truth of the allegation? The Government want to have power, under any circumstances, to insist that a person has been intimidated whether it is true or not. Under the old Crimes Act, the Government frequently declared a person to be intimidated, and whether he liked it or not put him on oath. Under such circumstances, persons have been frequently convicted. I can conceive nothing more monstrous, and it is for the purpose of preventing that that I move this Amendment.

New Clause (Procedure on prosecution for intimidation,)—(*Mr. Chance,*) *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The hon. Member who has brought this clause before the House has himself shown reasons why its acceptance would be inconsistent with the Bill as framed. He has frankly admitted that the second part of the proposed clause would be inconsistent with the definitions we have inserted in the Bill, and which it is necessary for us to maintain. I need hardly remind the House that the definition is that—

"The expression 'intimidation' includes any words or acts intended and calculated to put any person in fear of any injury or danger to himself, or to any member of his family, or to any person in his employment, or in fear of any injury to, or loss of property, business, employment, or means of living."

As to the first part of the clause, I think a little consideration will show the hon. Member that the same objection which he has himself suggested may apply to the second sub-section will also apply to the first. It is inconsistent with the Bill, and if the hon. Member were successful in his Motion, the effect of the clause would be that many of the most dangerous and most harmful forms of intimidation would be the most difficult to punish, and that the offenders would be enabled to get off scot free. Take a case. Suppose there had been a large amount of general intimidation, and under the terms of this proposed clause, if a person were singled out and specified by name as one alleged to have been so intimidated, what would be the result? Why, an amount of pressure would be immediately brought to bear upon him, in order to induce him to come forward and say that the allegation was ill-founded, and that he had not been intimidated at all. The effect of such a clause would be to render the power of prosecution, which we have taken in Section 2 of this Bill, altogether a dead letter. It seems to me that the proposal is altogether inconsistent with the scheme of the Bill. Not only would the 2nd clause be defeated, but one of the worst classes of offenders would be enabled to go scot free.

MR. MOLLOY (King's Co., Birr): I do not quite see the force of the argument

of the hon. and learned Gentleman. He says that this clause is inconsistent with the definition of "intimidation" contained in the Bill. Now, what is that definition? It says the expression "intimidation" includes any words or acts intended and calculated to put any person in fear of injury to himself or his family. Well, I should like to know where the inconsistency is, because, in order to bring the clause with intimidation into effect, you have first to decide, and to show—at least you have to decide; I cannot say what you have to show under this Bill—that some person has been intimidated either by words or acts. Now, I see nothing inconsistent in that, because you cannot fairly say that somebody, who may turn out to be nobody, has been intimidated. The clause says—

"Any words or acts intended and calculated to put any person in fear of any injury or danger to himself,"

and so on. Let us suppose that intimidation has taken place. The Executive, or those who will have the administration of this law, will have to decide amongst themselves the person who has been intimidated. That is clear; but the hon. and learned Gentleman said that this person may be again intimidated into a denial of the intimidation. That has nothing whatever to do with the question, it does not affect the clause or the definition at the end of the Bill. You have to decide that a certain person has himself, or in the person of a member of his family, been intimidated. What is the good of the hon. and learned Solicitor General shaking his head? I do not like to read the same thing twice over; but I would call the attention of the hon. and learned Gentleman to the words of the definition which I have already repeated. You have to decide in your own minds that some person or persons have been intimidated, and upon that personal intimidation you set clauses of this Bill in force. Well, supposing this person, whom you are prepared to prove has been intimidated by some words or acts, or some letter that may have been written—supposing he comes forward and swears that he never was intimidated, that will not affect your case in the slightest degree. It must be some statement brought forward by way of evidence, that the evidence you will have will go to show that either in the words or acts, or letter written, some person has been intimidated and put in fear. You must decide yourselves as to who the person is. You cannot say that a letter has been written which has intimidated somebody. You must have a personality, or a number of individualities, before you can proceed a step in these cases. Well, what does the Amendment ask? It asks that when you take action under this Bill you shall declare the name of the person or persons who you say have been intimidated. Is there anything unfair in that? If anyone is accused of having stolen money from a person you have to say who the person is. You have to get tangible evidence which the defence can take up. Now, supposing a name is given, and supposing the intimidated person denies being intimidated, I say, again, that does not affect the case. Your evidence is either acts, words, or letters, and upon those words, acts, or letters, the Court will say whether or not there has been an act of intimidation under the Bill. There will be your evidence. Now, why does anyone ask to have specified the name of the person intimidated? The answer is so simple and evident that it is hardly necessary to state it. Supposing I am accused of having by some act or word intimidated some person or persons, the least you can do in common justice is to tell me whom it is I have intimidated, because that knowledge will form part of my defence. I should not confine myself to a denial, but it would form part of my defence to show that the person alleged to have been intimidated has not been intimidated at all—it would form part of my defence to show that my words, or my acts, or the letter I may have written, were not intended for the person or persons you say have been intimidated, and could not have been intended for him or them. What is the difference between the Government and those who propose this clause? We say that when you accuse a person of intimidation you ought to give the name of the person who has been so intimidated. I speak with some diffidence as a lawyer, but as a lawyer not having so much practice as I might have had; nevertheless I must say that I cannot recall a single case in law where the name of the person a man is charged with intimidating is not

specified. I know of no case where a man is accused of having committed a crime against a person, or of having inflicted injury upon a person, where the name and individuality of that person is not stated. I know of no single case, and all we are asking is that where you make an accusation against a man, or a number of men of having committed this crime of intimidation, you should state against whom that crime has been committed. If you mean this, that a man may write a letter which, in your opinion, may have intimidated someone who, you do not know, then I can understand your position; but you do not defend your position upon that ground. I say that you are doing an act of injustice, a precedent for which is not to be found in any single action at law which I have ever heard of, and which, I venture to say, no one who is listening to me in this House ever heard of.

COLONEL NOLAN (Galway, N.): I would urge upon the Government the advisability of adopting this clause. What can be more reasonable or consistent with the traditions of English law than to ask the Crown to specify what are the actual instances in which intimidation has been exercised, and to name the person or persons who have been intimidated? Recollect the tribunal before which the prisoner is to be brought. The accused will not have the advantage of a Judge and jury. He will be brought before two magistrates —a most arbitrarily constituted tribunal. Possibly it may not be an unjust, but it must necessarily be an arbitrary one. When you hand over an accused person to be tried by individuals who are in the position of expecting promotion from those who are the prosecutors, and who, therefore, are naturally anxious to discharge their functions to the satisfaction of those prosecutors, you necessarily have an arbitrary tribunal. A court martial is a very rough Court of Justice; but when a person is charged before such a Court specific instances of his offence are always given. The Court always requires specific instances from the prosecutor, and it will not do to say that a man has been guilty of misbehaviour or has been guilty of disgraceful conduct. The Court which you are setting up in Ireland will possess all the worst features of a court martial. It will be extremely limited in number —it will only consist of two persons— the Judges are liable to promotion and are desiring it, and now you are taking away from the accused about the only safeguard he has—namely, the power of requiring his accusers to specify the offence he has committed—to mention the persons he has intimidated. Supposing you make a public speech, and in that speech you intimidate someone. Under the old legal term it might be said that the accused intimidated divers persons, to wit 10,000 persons by making 1,000 speeches, and afterwards if it is proved that you only intimidated one person by making one speech, that would be good enough in law to justify the proceedings. But the system which it is now proposed to lay down is even worse. You give the accused no means by which he can rebut the charge. The hon. and learned Attorney General for England (Sir Richard Webster) makes very short speeches, and wraps up the little he has to say, I will not say in legal phraseology, but, in Parliamentary references so that it is not easy to get at his meaning. He declared that his objection to the first part of the Amendment was the same as to the second part. I must say that the argument upon which he founded his second objection was a very feeble one. If he had had a decent case to make out obviously he would have made it. If he had had a good case we know he would have made a strong speech in support of it; but having to argue against all the principles of law in which he has been educated since he first went to the Bar, he has found it necessary, as I say, to wrap up his arguments in generalities giving us no real contention against our demand for specific instances in a case of a person charged with intimidation. His general line of argument is that perhaps some guilty person would get off if the Crown or the prosecution were obliged to specify the particular person intimidated. Well, I have no doubt that in every criminal case where you specify what the criminal is guilty of, you do give some assistance to the prisoner, even if he is guilty, which strengthens his chance of getting off. But what would be a much greater evil, without going so far as to say that it is better that 10 guilty men should escape than that one innocent man should be

punished, without going so far as that, all the principles of law say that you must be at some considerable trouble in trying the accused in the interests of innocent persons, and that you must specify instances of the offences alleged to have been committed, although occasionally a guilty man may get off in consequence. There may be danger of a guilty man getting off, still the danger of an innocent man being convicted is so much more formidable that it is only fair that you should give specific instances that may be rebutted. The whole argument of the hon. and learned Gentleman when he says that the most guilty men may escape, reminds me of the trial scene in "The Bells." There the prosecutor, or the Judge—I cannot say whether or not he is the Attorney General—uses most extraordinary arguments, for when Mathias says that there is no evidence against him, he declares that the case occurred 20 years ago, and that therefore it is impossible for the Court to go by the ordinary rules of evidence. He declares that under the circumstances it is necessary to act in a certain manner. That is the argument of the hon. and learned Attorney General. He says that the ordinary rules of law have broken down, and that we must take care that no guilty person shall ever get off. He says in effect that such being the position of affairs, we cannot ask the prosecution to prove anything. In the trial scene in "The Bells," everything takes place in the imagination of Mathias, the whole thing is conjured up in his brain; but this is not an imaginary case—we see the hon. and learned Attorney General for England getting up in his place and arguing that all the principles of law should be dispensed with. He argues this very badly, and no wonder. The better the lawyer may be, the worse he will argue in such a case as this. A bad lawyer would not be cramped and hampered with so many considerations which were no doubt weighing upon the hon. and learned Gentleman, and preventing him from arguing the case in that clear and able manner in which he usually deals with legal questions. What we contend for is extremely simple. It is within the comprehension of everyone in the Kingdom, and does not require a lawyer to see it. We say that here you have a tribunal of two magistrates, and we maintain that when you have set up such a Court you should take particular care to stick to the ordinary forms of law so that when a man is brought up under accusation a specific case should be put forward which he possibly may be able to disprove. We desire that if an hon. Member makes a speech in this House he may be able to prove that it has not intimidated a particular person in the country. Someone in the country may be so stupid as to be intimidated by a speech made here; someone may be so fearful or so prejudiced that it is possible that some speeches made here to-night may have intimidated him, or would be reckoned intimidation, but our contention is that it should be necessary to prove the case. I will not argue upon the Amendment put down by the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) on page 30, I will simply draw attention to it. I wish to point out that you greatly increase the dangers underlying the present Bill if that Amendment is inserted, and you will multiply them still more if you do not accept the Amendment which we propose. You will greatly increase the chances of conviction under this Bill, and consequently I say it becomes very necessary that the specific case of intimidation should be proved, and that, at any rate, the prisoner should have fair play when this irregular and arbitrary course is resorted to. This would be in accordance with the principle of English law, which is that fair play should be shown to every prisoner. I think the Government will do well to adopt either here or in "another place," words which would enable the prisoner to know of what he is accused, and give him some means of replying.

Mr. MAURICE HEALY (Cork): The definition of intimidation in this Bill—like the definition in many other Bills which I have known to be introduced here—is, in my opinion, no definition at all. That being the view I take, let us consider what the effect of this clause will be. I have had experience in prosecutions for intimidation under the Crimes Act. It fell to my lot to have, on several occasions, to defend prisoners charged with intimidation under that Act, in some of which cases I succeeded in obtaining the acquittal of the prisoner, and in others I failed to do so. Now,

in the majority of cases tried under the Act, as a general rule, the prosecution mentioned in the warrant the circumstances, and the trial was fairly conducted and decided before the prisoner was sent for an indefinite period or otherwise to a plank bed. I will tell the House what is the meaning of this Amendment. The hon. and learned Gentleman the Attorney General for England (Sir Richard Webster) said that to accept the first clause of this Amendment would have this effect—that in the interval between the summons and the trial of the person alleged to have been intimidated, all kinds of improper pressure would be put upon the person alleged to be intimidated in order to get him to come before the Court and swear that he was not intimidated at all. The hon. and learned Gentleman will be surprised to hear that under the Crimes Act the amount of intimidation was mentioned in the summons, and that none of the dire effects which he has intimated occurred, and there was no difficulty in getting a conviction where proof of substantial intimidation was given. In all these cases the Crown Prosecutors did what every reasonable person would expect of them—they specified the party alleged to be intimidated; they gave the prisoners a fair opportunity of meeting the case made out against them, and generally succeeded in convicting persons against whom they had a reasonable case. When this information was withheld it was because they had not a fair case of intimidation, and when they were proceeding against some of their political opponents. In the case of my hon. Friends the Members for Westmeath and the City of Dublin, and when they proceeded against my hon. Friend the Member for West Cork, there were no specified acts of intimidation; the prosecution drew up their summonses and simply alleged that the party accused had intimidated certain persons, and on that the magistrates were pressed to put the Act into operation. So contrary to reason and common justice is the opposition to this clause, that I venture to say that if this Act were to be administered by an English Court of Law, the Court would decide it to be necessary, before conviction could be obtained, that the party or parties intimidated should be specified. I venture to think that, if under the Act of 1870 for the safety and protection of property, any prosecution were instituted in connection say with a strike that had taken place in any trade, a Court of Law construing the clause in this country would decide that a charge of intimidation against some person unknown would be bad, and would refuse to convict upon a summons so drawn. And, as a matter of fact, when the Crimes Act was administered in Ireland, a similar decision was come to. For instance, a case came before the Judge of the County Court of Waterford, in which the Crown alleged that a certain person had been intimidated. In the first instance, the case came before the Resident Magistrates who, as might have been expected, committed the accused, holding that there was no necessity to specify the persons intimidated; but, as I have said, the Judge of the County Court decided that he would not hear any case on a warrant which did not contain an allegation that a specified person had been intimidated, and that if the Crown wanted him to convict any person for intimidation they must allege in their summons who the person was that had been intimidated. If all County Court Judges in Ireland were of the same high character as the gentleman I am referring to there would be no necessity for introducing this clause; but, unfortunately, most of them are not of that character. A case of alleged intimidation came before Mr. Fergusson, another County Court Judge. I do not wish to say anything against that gentleman; but he is a landlord, and at the very moment when he was trying a client of mine on the charge of intimidating certain persons for having evicted a farmer, he was himself in the position of having a number of eviction farms on his hands for which he could not find tenants, and accordingly he upheld the decision of the Resident Magistrates, and sent my client to gaol under an extremely long sentence. The position is, therefore, this, that the mass of the County Court Judges in Ireland, and, as a matter of course, all the Resident Magistrates, will not take the reasonable course of requiring some evidence of intimidation against a person or persons, but will be content with the general allegation of intimidation against a person or persons unknown. We all remember the case in Ireland of the hon.

Member for the City of Dublin, who was charged with intimidating the farmers of Westmeath. In that case the Crown Prosecutor did not specify any individual as having been intimidated, and no one came forward to swear that he had been intimidated. The Judge dealt with the case under the same scandalous circumstances—he was engaged in a political conflict with my hon. Friend, and under circumstances which made it extremely undesirable that he should act as Judge of the facts. Similarly in the case of my hon. Friend the Member for West Cork, who was charged with intimidation against a person or persons unknown. The charge was considered sufficient to justify a sentence of three months' imprisonment, although not a single individual throughout the whole Division of West Cork came forward to allege that he had been intimidated. I say that I have given proof, that when the Government have really a substantial case they will always specify the party intimidated, notwithstanding the urgent reasons to the contrary alleged by the hon. and learned Attorney General, but that when they want to imprison some of their political opponents against whom they can make no specific case, then they will use this convenient form of charging intimidation of a person or persons unknown, and then it will be incumbent on the defendant to prove the negative, which is always an impossibility. Now, the 2nd sub-clause of this Amendment provides that no person shall be convicted for intimidation unless the person alleged to have been intimidated declares on oath that he has, by such alleged intimidation, been put in fear for his person, property, or reputation. I do not care if that is inconsistent with the definition given in the Bill later on. The Amendment places some limit and restriction on the unreasonable and improper use of that definition, and it protects the unfortunate prisoner against the misuse which may be made of that wide definition of intimidation. If the Government have any confidence in the effect of their own Bill, if they have any reason to believe it will bring about a blessed state of peace and happiness in Ireland, as they pretend to believe, what possible reason can they have for refusing to admit the second portion of the clause? The case of the Government is, that if once this Bill passes all intimidation will cease; they come down here, and in the face of the declaration made two years ago by Lord Salisbury, they now say that the Crimes Bill was a complete success, so far as putting an end to intimidation was concerned, and they tell us that if this Bill passes a similar state of things will be brought into existence, and that intimidation will practically cease. If that is so, what possible reason is there why the second part of this sub-section should not be accepted? If the Bill is to prevent intimidation, how can it be alleged that intimidation will be used to put pressure on witnesses? I need not say that if intimidation of the character which the hon. and learned Attorney General has pointed out were brought to bear, it would be a criminal offence which, under this Bill, would render any person attempting it liable to very serious and heavy punishment. I say, again, that if the Government have any substantial case there is nothing in this clause which will prevent them in getting a conviction; but it will prevent their getting a conviction on the mere statement of a policeman or sub-inspector of police. My hon. Friend and relative the Member for North Longford (Mr. T. M. Healy) was charged six years ago with intimidation; but the man said to have been intimidated swore that there was not the slightest truth in the allegation, and, as a matter of fact, the man has held the same farm during the last 16 years, and will, in all probability, continue to do so until his dying day. In face of facts like this the Government instituted a prosecution under the Whiteboy Act, and under which my hon. Friend would have been imprisoned, and might have been sentenced once or twice to be whipped. If this clause, which we seek to amend, is passed without some such restriction as is contained in the words before the House, it is to be believed that similar absurdities will be perpetrated under the present Bill, and that the police in Ireland will simply use the vague charge of intimidation for the purpose of imprisoning, and so getting rid of the active politicians of their district. If there were the slightest desire on the part of the hon. Gentlemen opposite to agree to any reasonable modification of the Bill they would not pause for an instant in accepting this Amendment; but, unfortunately, they

have long ago abandoned that idea. It was said that the hon. and learned Attorney General had got into trouble for accepting too many Amendments to the Bill at first, and since that time we have been able to get no Amendment accepted. It would seem that the mere fact of an Amendment coming from this side of the House is enough to render it anathema. An Amendment to be accepted must be moved by some Member of the Liberal Unionist Party. If it were not for the opportunity of entering our protest against the wicked provisions of this Bill we would propose no more Amendments.

MR. M. J. KENNY (Tyrone, Mid): Mr. Speaker, it is appalling to witness the alacrity with which hon. Members opposite vote away the liberty of the subject in Ireland. There is now made a proposal to prevent the launching of an indictment against a man for intimidating somebody he never saw, and who will not come forward to give evidence against him. That seems a singular proposal to make; but it is a very necessary proposal. We speak from experience. We can point out instances of men who belong to this House, Representatives of Irish constituencies, who have been one after another sent to prison for intimidating persons of whom they never heard. What happened to the hon. Gentleman the Member for Dublin Harbour (Mr. T. C. Harrington)? He was brought up before a Bench of Magistrates in County Westmeath, and accused of having intimidated the farmers of Westmeath. Not a single farmer of the county, however, came forward to say he had been intimidated by the hon. Gentleman. The only evidence adduced was that of two or three policemen, and it was upon such evidence that my hon. Friend was sentenced to two months imprisonment with hard labour. The response which the farmers of Westmeath, the men intimidated, made, was to elect the hon. Gentleman as their Representative in Parliament. There are other instances just as ludicrous. On a certain famous occasion a number of Members who happened to be away from the House at the time were suspended for obstructing the Business of the House. What was the result of that? Why, that there was an express stipulation that no Member who was away from the House should be suspended. The hon. and learned Solicitor General for Ireland (Mr. Gibson) speaks of this Amendment as being inconsistent with the Government's definition of intimidation. But as has been already pointed out there is no such thing in the Bill as a definition of intimidation. There is merely an extension, as far as its embodiment in an Act of Parliament is concerned, of the definition. In view of this extraordinary extension of the term, it is our duty to bring forward a new clause of this kind for the purpose of preventing in future the unfair, the monstrous, and the wicked interpretation that has been placed upon the word "intimidation" by Resident Magistrates, and to ensure that before a man can be sent to gaol in Ireland for intimidation it must be clearly proved that he intimidated somebody. That is a simple proposition, and I cannot understand how it is that any Government which calls itself a Constitutional Government —for we hear a great deal upon the Government's attachment to the principles of the Constitution—refuses to accept an Amendment which simply ensures that the very first element of liberty shall not be taken away from Irishmen. I do not think that a case can be found in the whole history of the law of England of a man being convicted of intimidating some person or persons of whom he had never heard, and who were not brought forward, and who could not be brought forward in evidence against him. Surely there should be some complainant besides the Crown in this matter. When a man speaks from a public platform in Ireland his speech is reported by some Government reporter and sent to Dublin Castle. Some clerk in the Castle goes over the speech and tries to pick out a phrase here and there, which, torn from the context, may seem to amount to intimidation of some general body of Her Majesty's subjects. On the strength of an isolated sentence—that is what occurred in the case of the hon. Gentleman the Member for Dublin Harbour—a prosecution for intimidation is instituted. The remaining portions of the speech are entirely disregarded. Notice is only taken of what may have been a mere slip of the tongue, and which may not have been understood by those who heard the speech to amount to intimidation. Unless some such Amendment as that now

proposed be adopted, we in Ireland may say farewell to the liberty of the subject.

Question put.

The House *divided :*—Ayes 92; Noes, 173: Majority 81.—(Div. List, No. 263.)

[12.50 A.M.]

Motion made, and Question proposed, "That the further proceeding on Consideration, as amended, be deferred till To-morrow."—(*Mr. A. J. Balfour.*)

MR. MAURICE HEALY (Cork): Will the right hon. Gentleman the Chief Secretary for Ireland say when the Government intend to put upon the Paper all the Amendments they have promised?

MR. A. J. BALFOUR: All the Amendments we intend to move are already on the Paper.

Question put, and *agreed to.*

Further Proceeding on Consideration, as amended, *deferred* till *To-morrow.*

CUSTOMS AND INLAND REVENUE BILL.—[BILL 241.]

(*Mr. Chancellor of the Exchequer, Mr. Jackson.*)

CONSIDERATION.

Bill, as amended, *considered.*

MR. KELLY (Camberwell, N.): Mr. Speaker, I have placed two new clauses upon the Paper with the object of protecting the honest trader, whether he be the manufacturer or the retail dealer. The first of these clauses which I now move is that—

"No tobacco whatsoever, of or exceeding one pound in weight, shall be sold or delivered by any manufacturer or wholesale dealer to any dealer in, or retailer of, the same, except in a sealed packet, and any manufacturer or wholesale dealer selling, or delivering any tobacco otherwise than in such packet shall incur an Excise penalty of fifty pounds."

I conceive that this clause will provide absolute protection for both the manufacturer and the retailer. If the seal were unbroken when the tobacco was seized by the Excise it clearly would be the manufacturer who would be liable to the penalty if the tobacco contained an illegal amount of moisture. If the seal were broken, and the retailer had neglected to take steps to relieve himself from any liability, he would be the person at fault. I do not wish to address the House at any length upon this matter, because I did so the other night. I only wish to point out that the principal objection made to my proposal is that it will act prejudicially to trade. What is the difference between what is now done and what will be done if this clause protecting the honest trader is carried? The only difference will be that instead of supplying the tobacco open, as now, the manufacturer will, in future, have to drop a little sealing-wax upon the packet he delivers and put a seal upon it. Of course, one of my clauses would be of very little effect without the other; and, therefore, if the House will not accept the first, it will be idle for me to persevere with the second. Now, if the Bill is referred to, it will be found that the very fact of the retailer having in his possession or custody any tobacco containing an illegal amount of moisture renders him liable to a penalty of £50. It is perfectly immaterial whether the retailer has opened the packet or whether he has any intention of selling the tobacco; if he is possessed of tobacco containing an illegal amount of moisture, he is liable. It is impossible for me to understand how people can believe that a man who has been mulcted in £50 can possibly recover the fine from the person really in fault—the manufacturer. Suppose a retailer were unable to pay the penalty, and were sent to prison, would it be possible for him to bring an action against the manufacturer and recover damages? The only thing he can recover from the manufacturer, under such circumstances, is the value of the tobacco forfeited. If I am right in saying that what I propose will not act prejudicially to trade, if it would not prevent penalties being imposed upon those on whom they ought to be imposed, but, on the contrary, facilitate it, I trust the House will see its way to adopt my clause. I quite agree with the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen), that in considering this clause the House should consider the working of the Food and Drugs Adulteration Acts. I venture to say that under those Acts in 99 cases out of every 100, innocent retailers were punished for the fault of the manufacturers. In the case of mustard, an article of very common consumption, I do not believe any manufacturer has ever been fined, while retailers have been frequently punished for adulteration. Mustard is generally supplied in tins sealed in such a way that it is impos-

sible for the retailers to open them without its been seen they have been tampered with. It must be within the knowledge of many Members of the House, men who as Justices of the Peace have to deal with cases of adulteration, that it is the commonest thing in the world for retailers to be hit for offences of manufacturers.

New Clause (All tobacco over one pound in weight to be delivered by the manufacturer to the retailer in sealed packet,)—(*Mr. Kelly,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I quite understand the anxiety of the hon. Member (Mr. Kelly) to protect the retailer in this matter. It is a perfectly legitimate anxiety on his part; but I think in a very few sentences I shall be able to satisfy him that his clause is not necessary, and that experience has proved the contrary of that which he has maintained. As he has just observed, it frequently happens that under the Food and Drugs Adulteration Acts retailers are punished, and that manufacturers go scot-free; but in the tobacco trade the very opposite is the case. There are already laws against the adulteration of tobacco, and in no case, except two, since 1868, has any retailer been prosecuted. But there are numerous instances of the prosecution of manufacturers. I trust, therefore, that the experience of actual facts will weigh with the hon. Member, and that he will see there is not the danger he apprehends. What happens is this. The retailer gives evidence, so to speak, against the manufacturer. When tobacco which is adulterated is found in his possession, the retailer is as anxious as the officers of the Inland Revenue to bring the adulteration home to the manufacturer. The Inland Revenue officers have got more interest in punishing a manufacturer than a retailer, because, if they can once stop a manufacturer who sells to many retailers, they clearly effect a much greater check upon injurious sales than if they stop one poor retailer. It is natural, therefore, that the Inland Revenue officers should wish to prosecute the manufacturer. But not only is it natural that it should be so, but it has been so. The manufacturer has been prosecuted, and will be prosecuted under this Act. It will not be the retailer who will be prosecuted in the first instance. Then the hon. Gentleman argues that the retailer would not have an action against the manufacturer, but I am advised to the contrary. It stands to reason that if the manufacturer guarantees to the retailer that the tobacco will not contain more than 35 per cent of moisture, and if he delivers an article which is contrary to the guarantee, the manufacturer is liable to an action for damages. I can assure the hon. Gentleman that the practice of the Inland Revenue, wherever the manufacturer is at fault, will be to prosecute the manufacturer and not the retailer. Then I do not think the argument of the hon. Gentleman, that it is but a small matter to put a seal upon all packets of tobacco, will hold water. I have had the strongest remonstrances from the trade, saying it will be a most vexatious and troublesome business, and it will not achieve the object for which it is devised. There is a certain quality of tobacco which would be spoiled by being sealed up. Retailers open this tobacco when delivered to them, and keep it in certain receptacles in order to improve its quality. The practice of both retailers and manufacturers would be hampered by the adoption of the proposal of the hon. Member. The House may take it that retailers will not be the persons prosecuted where they are not guilty; but that, on the contrary, the Inland Revenue officers will look to the retailers to assist them in punishing the real offenders. I trust the House will not accept the clause of the hon. Gentleman, which, I am fully persuaded, will be very vexatious in its operation.

Question put, and *negatived.*

MR. KELLY: I do not propose to move the next clause which stands in my name; but I trust the right hon. Gentleman will assure the House that he will see the retailers are protected by the exercise of constant supervision over the manufacturers.

MR. GOSCHEN: I assure the hon. Gentleman that everything will be done for the protection of the retailer, and also for the protection of the Revenue.

SIR JOSEPH PEASE (Durham, Barnard Castle): Mr. Speaker, I owe some apology to the House for not having moved the Amendments which I propose to move to-night in Committee on this Bill; but the right hon. Gentleman the Chancellor of the Exchequer got his Bill through Committee rather unexpectedly, I believe, to himself as well as to the House. Now, the Amendments of which I have given Notice are really one. They are consequential upon one another; and if the first is rejected, of course the remainder will fall with it. I certainly have no wish to trouble the House with more than one speech. The first objection I take to the right hon. Gentleman's clauses is that they are simply permissive in their character; and I think he will admit that, as a general rule, it is a very bad principle to place permissive clauses in a Customs and Inland Revenue Bill. It is as essential that people should know how they are going to be taxed as it is for the Government to know how much the taxes will raise. I do not recollect ever having seen so glaring an instance of permissive powers being placed in a Customs and Inland Revenue Bill as the present. The proposition is to impose a tax of 1*s.* upon every £100 of the capital of Companies who now pay 10*s.* per £100 on transfers. This is only to apply to Companies who choose to fall in with the proposed arrangement. The Companies may, as I understand the right hon. Gentleman's proposal, recoup themselves by charging the party transferring the duty which is now charged, or they may get the tax in any other way from the parties transferring shares. According to the speech of the right hon. Gentleman, as well as according to his Bill, he wishes, in making this proposal, so as to keep the balance on the side of the Revenue, but not to add materially to the Revenue. I want the right hon. Gentleman to look at the case of the railways, which, after all, is the interest most affected by the proposed alteration. The capital of the railways of the United Kingdom, at the last taking—1886—was £815,858,000. That, at 1*s.* per cent, will produce £400,000, or rather more. This capital has increased from £630,000,000 in 1875 to £816,000,000 at the present time. It has increased in 10 or 11 years by £185,000,000; and, therefore, if the transfers keep at all in the same ratio as capital, the right hon. Gentleman has actually got 25 per cent more into his net from railway transfers than his Predecessor in 1875 had. If the increase goes on—and there is no apparent cessation of the manner in which the English public invest in railways—there is a steady increase of taxation from railway transfers alone. I have before me the capital accounts of £630,000,000 out of this £800,000,000 of Railway Stock, and out of the transfers of this Stock the Government have had just about £160,000 a-year. But the 1*s.* would give the Revenue on this portion of the railway capital, £315,000. He would nearly double the amount he receives from the Railway Companies if his clause were not permissive. By the tax on the Debenture Stock, he actually begins by getting £100,000 a-year out of the Railway Companies and other affected Companies; but he is not content with this £100,000; he is going to draw, if he can, double the amount of the present duties for the transfer of Railway Stock. I think this would act most unfairly upon the Railway Companies themselves. I now come to the voluntary as against the compulsory question. 1*s.* per £100 of North-Western Stock at 166 is only about 7*d.*, whilst 1*s.* per £100 of Chatham and Dover Stock at 25 is 4*s.* per cent on the actual value. The proposal, if it could be carried out, would work most unfairly towards those Companies whose capital is at a discount; while it would be of greater comparative advantage to the richer Companies, whose capital is at a premium. But if the arrangement is to be voluntary, I ask how is he going to get an advantage from it?—because only those will come into his net who will be benefited, and he will not have them because he would lose, and those who are not benefited will stand outside because they would lose if they came into the arrangement Therefore, it seems to me that he will not get anything out of his proposal, and that he is likely to fall between two stools. The Chancellor of the Exchequer says he does not want to make any gain by this; in that case, having heard my figures, he might propose that the 1*s.* duty should be reduced to 6*d.* The difficulty which I see before us is that, whatever my right hon. Friend's views

may be, if these clauses are passed in their permissive character, some needy Chancellor of the Exchequer will say that that which the right hon. Gentleman made permissive shall be compulsory, and the Companies will have to pay. But if payment is to be made by the Companies on the present principle, the Companies would collect the money from the contributors by charging transfer duty as at present, instead of the Chancellor of the Exchequer collecting it as at present by selling the stamps; but who is to pay when it becomes compulsory? The whole burden of the Debenture Stock, Preference Stock, and other Stock would fall upon the ordinary shareholder. Now, if there is one class more than another which deserves consideration, it is that of the ordinary shareholders, because in times like these it is the ordinary shareholder who goes to the wall—the Preference and Debenture Stock stand at a high premium even whilst ordinary share dividends go down. The figures stand much in the same proportion; in the Company to which I belong we have £33,000,000 Preference and Debenture Stock, and £23,000,000 Ordinary Stock; and, therefore, if the payment became compulsory, and the transfers were free, the £23,000,000 Ordinary Stock would have to pay for the other Stocks, which, being probably at a high premium, would be much more able to pay. I think the burden is one which the ordinary shareholder will shrink from, and I believe I shall be able to show before I sit down that the country at large ought to be very careful not to place such powers in the hands of the Chancellor of the Exchequer. The right hon. Gentleman may say it is nothing but an option. I have always a great dislike to give an option; I believe it was a maxim of the father of the Rothschilds always to take an option. If it went in his favour he could take it; if it was against him he could leave it alone. I am afraid this proposal will affect the trading as well as the railway interest. There has been a great pressure put upon the railway interest in this country by the agricultural interest and by the iron and coal trades, because of the depression which has existed. There has been a general outcry against it, and I believe that the general tendency will be still further to prey on the property of the ordinary shareholder. I say it is not to the interests of the traders of this country to give our Chancellors of the Exchequer power to put a reason of the kind which the proposal of my right hon. Friend is likely to put into the hands of the Railway Companies, and that you will do well not to give the Companies an excuse for saying that "the Chancellor of the Exchequer is taxing us for the transfer of our shares. We cannot reduce your rates or consider your proposals." I cannot see that the right hon. Gentleman or the State will gain anything by this proposal, and, therefore, I move to strike Clause 8 from the Bill.

Amendment proposed, in page 3, to leave out Clause 8.—(*Sir Joseph Pease.*)

Question proposed, "That Clause 8 stand part of the Bill."

MR. GOSCHEN: My hon. Friend has stated that one of the fundamental principles underlying my proposal is that of its being optional. That is perfectly true, and my hon. Friend was bound to oppose that proposal of option by suggesting that it would become compulsion. But he did not say anything against that part of the proposal except that it is unusual to place anything optional in an Inland Revenue Bill. Now this is a proposal relating to all Companies, and I demur to this matter being argued exclusively from the railway point of view, although that is a very important interest. The proposal is to give option to all Companies to compound for the Transfer Duty by paying 1*s.* per cent on their capital. My hon. Friend is anxious for the results to the Revenue, and he is more anxious for the result to the Railway Companies; but there was one interest which he did not discuss—namely, that of the public at large, who, when they put their money into Railway or other Companies, have now to go through a very cumbrous form of transfer, which has been represented over and over again as a check upon the flow of capital into these enterprises. It has been represented to me that one of the drawbacks to which English enterprise is liable, as compared with the enterprises of foreign Companies, is that the English Companies have not their securities in a form in which they can, like those of foreign Companies, be easily transferred, and that it would conduce to the gene-

ral convenience of Railway Companies if investors could buy their Railway Debentures or shares precisely as they buy the more current forms of Stocks. It was not with a view to increase Revenue, nor to tax the railway interest, but to provide a more simple form of transfer without loss of Revenue, that I submitted this proposal to the House, and I am bound to say that though I have had protests from some members of the Stock Exchange and from the Railway Companies, I have had very few remonstrances or objections from other Companies with regard to this proposal; and even as regards the Railway Companies, I believe that they will find it to their advantage in the end to adopt this optional proposal, because they may thus attract a number of smaller holders into that which is generally, in the case of good Companies, a very excellent form of security. And although I admit that some of the old-fashioned Directors may say that they do not wish to change the body of their shareholders, and that they desire to have large shareholders, I am not so sure that it would not be better to see a larger number of shareholders in that form of security. It is in the interest of the public that the proposal is made, and it is made in a manner to render it acceptable to the Railway Companies, and I am glad that it is optional, because I believe it will be found that pressure will be put upon the Railway Companies by their own shareholders to make them adopt it. Fiscally speaking, it is always of advantage to tax a large number of persons rather than a small number, and a large advance has been made in that direction with the most satisfactory results. My hon. Friend thinks the arrangement should not be optional; but all our proposals for compounding permanent duties are optional. This, then, is not a new principle which is being introduced. I should be very sorry myself to strike any such blow as my hon. Friend deprecates at the railway interest. But I think that the proposal is in no way hostile to that interest. The Companies where the transfers are so few that the proposal cannot be adopted without loss will avail themselves of the option. I have submitted this proposal to the House believing it to be an improvement in taxation, and that it will tend to the removal of some hindrances to trade, by putting an end to arrangement which really handicaps the passing of capital to and fro in English enterprises as compared with those of foreign countries.

MR. HENRY H. FOWLER (Wolverhampton, E.): I think the Chancellor of the Exchequer, who must have seen a large number of railway transfers in the course of his career, will recollect that the transfer of Railway Shares and Stock is made on a sheet of paper, that there is nothing cumbrous about the matter, and that the clause which he proposes will not affect the transfer of Railway Stock in the slightest degree. Transfers must be made in the way prescribed by the Railway Consolidation Act. There is no way of evading that, and so far from there being any cumbrous form of transfer, the form is filled up in a few seconds. The document requires to be stamped before it is valid at the rate of 10*s.* per cent, and it has also to be registered at the Office of the Railway Company. The only thing which can justify a change of this sort is that it will benefit the Revenue. But that is what the Chancellor of the Exchequer says he does not want it to do. Nor do I think it will do so, because I see no reason to suppose that the Railway Companies will adopt the proposal. The only thing that remains to be alleged in favour of it, then, is the benefit to the public; but that I do not think it will effect. But what it will effect will be to enable a large amount of Stock Exchange speculation to go on. There is a large amount of buying and selling on the Stock Exchange which pays no stamp duty at all, and I think if the right hon. Gentleman had tried to get some duty imposed upon that sort of transfers he would have benefited both the public and the Revenue. The average amount of Stock held in this Kingdom is £1,500 per head of railway shareholders; but the idea that a poor man will buy £100 Stock because the transfer stamp will be paid to the Company instead of being impressed on the instrument is, to my mind, a very great delusion. But the injustice of the proposal is that it puts on the ordinary shareholders a burden which ought to be spread over the whole of the capital. If the right hon. Gentleman is ready to tax the fountain head, is he also ready to propose a similar *ad valorem* duty on land? I believe that

this proposal is unsound, that it will not be generally adopted, and that it will not benefit the Revenue.

Question put.

The House *divided:* — Ayes 125; Noes 65: Majority 60.—(Div. List, No. 264.) [1.40 A.M.]

Clause 9 (Power given to companies, corporations, and county justices to compound).

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I move, Sir, the Amendment standing in the name of the right hon. Gentleman the Chancellor of the Exchequer.

Amendment proposed, in page 4, line 4, after "Commissioners," insert "if the said Commissioners in their discretion think proper."

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Bill to be read the third time *To-morrow.*

CROFTERS HOLDINGS (SCOTLAND) BILL [*Lords*].—[BILL 287.]

(*The Lord Advocate.*)

COMMITTEE.

Order for Committee read.

DR. CLARK (Caithness): I should like to ask the right hon. and learned Gentleman the Lord Advocate whether it would not be convenient to take a stage of this Bill to-night—to get the Chairman out of the Chair, so as to consider the Bill in Committee on Thursday?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): No; we propose to take the Bill on Thursday.

Committee *deferred* till *Thursday.*

SUPPLY.—REPORT.

Resolutions [20th June] *reported.*

Resolutions read a first and second time.

MR. LABOUCHERE (Northampton): I hope the right hon. Gentleman the First Lord of the Treasury will not insist upon having every one of these Resolutions reported. I do not think the Resolution relating to the Parks should be reported. When the Vote for the Parks was considered in Committee of Supply I moved, as an Amendment, to reduce the Vote by the sum of £2,000 on account of the extra amount to be given for the statue of the Duke of Wellington at Hyde Park Corner. On that occasion the Committee was not a very full one, but there was a very considerable minority in favour of the Amendment. The right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) intends to move an Amendment on Report, and there are a good many hon. Members, not only on this side of the House, but also on the other, who take a strong view of the matter. They remember that an absolute pledge was given to us when the £6,000 was voted, that no more would be asked for. As this is a controversial matter, it would be convenient, I think, if the right hon. Gentleman the Frst Lord of the Treasury desires to take the Report to-night, if he would leave out this Resolution relating to the Parks, and dispose of all the rest.

MR. CAVENDISH BENTINCK (Whitehaven): I wish to join in the appeal of the hon. Member for Northampton. This is a question that requires to be carefully considered. It is impossible that it can be adequately discussed now, and I, therefore, hope the right hon. Gentleman will be satisfied to take the Resolutions on the other items to-night, deferring the discussion upon this to some future day. I, myself, had an Amendment on the Paper relative to this particular item as well as the right hon. Gentleman the Member for East Wolverhampton.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I should be unwilling to insist upon a Resolution of this kind being taken at this hour of the evening under ordinary circumstances; but it appears to me that we shall be in no more favourable position to-morrow or on Thursday or on Friday. I think hon. Members will feel that it will be better, now that we have arrived at this stage, that we should go on with it, and take all the Resolutions. We shall have important Business to transact on other evenings, and are not likely to arrive at Report of Supply at an earlier hour than the present.

MR. HENRY H. FOWLER (Wolverhampton, E.): The subject referred to by the hon. Gentleman the Member for

Northampton is a serious one, and I shall have to address the House at considerable length upon it. The matter involved is not merely this £2,000; but there is a question of a distinct breach of faith, and I understand that many hon. Members desire to discuss it. I would suggest that it should be taken on some other evening. We should be sorry to impede Business; but the subject will be sure to lead to a controversial debate, therefore, I think it should be taken when there is time to discuss it.

MR. W. H. SMITH: Then we will postpone this particular Resolution, but pass the rest.

MR. HENRY H. FOWLER: Yes.

First and Second Resolutions *agreed to.*

Third Resolution *postponed.*

Postponed Resolution to be considered upon *Monday* next.

LAW AGENTS (SCOTLAND) ACT (1873) AMENDMENT BILL.—[BILL 284.]

(*Mr. Mundella, Mr. Osborne Morgan, Mr. Richard, Sir Hussey Vivian, Mr. Rathbone, Mr. Stuart Rendel, Mr. William Abraham.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CALDWELL (Glasgow, St. Rollox): In assenting to the second reading of this Bill I desire to say that I do so on the understanding that certain Amendments are to be prepared in Committee with a view of providing that the appointment of the lecturers established shall not be in the hands of the Court of Session, but shall rest with the University, so as to preserve the rights of the University in regard to the qualifications of those who are to be recognized lecturers. The second point is, that Amendments shall be introduced requiring that those who are now studying as law agents shall have the right to finish their curriculum under the existing law. These are the main provisions which it is intended to propose, and on the understanding that they will be assented to by the promoters of the Bill. I shall have no objection to the second reading being taken.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

PAUPER LUNATIC ASYLUMS (IRELAND) SUPERANNUATION BILL.—[BILL 62.]

(*Mr. Chance, Mr. William Corbet.*)

COMMITTEE. [*Progress 9th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 severally *agreed to.*

Clause 3 (Provision for superannuation).

MR. MACARTNEY (Antrim, S.): I beg to move, in page 1, line 8, after "any," to leave out to "any," in line 9, inclusive. The words I propose to omit are "superintendent, chaplain, matron, physician, surgeon, or any." The effect will be to confine the clause to "any officer or servant of any asylum for the lunatic poor in Ireland," &c. If these words are not superfluous then they are uncertain, and are likely to lead to misapprehension in construing the Bill when it becomes law, as not setting out the persons previously set out in Legislation relating to this subject.

Amendment proposed, in page 1, line 8, after "any," leave out to "any," in line 9, inclusive.—(*Mr. Macartney.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHANCE (Kilkenny, S.): I do not see that these words are of much use in the Bill; but I put them in, because they were in the English Act, and because the object of this measure is to make the law of England and Ireland on this subject similar. In the English Act there seems to be some distinction between the superintendent, chaplain, matron, physician, and surgeon, and the officers and servants. I do not see any distinction and, if none exists, it is no use keeping in these words.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): I do not think the words are necessary.

Question put, and *negatived.*

MR. MACARTNEY: On behalf of my hon. Friend the Member for Cambridge (Mr. Penrose-Fitzgerald) I beg to move the Amendment which stands in his name—that is to say, to leave out the words—

"Established in pursuance of the Act passed in the eighth and ninth years of the reign of

Her present Majesty, Chapter one hundred and eight, and the Acts amending the same."

These words do not appear to be necessary; and, in any case, I do not think the Act cited is the main Act in question, but one passed in the reign of George IV.

Amendment proposed, in page 1, to leave out the words from "established," in line 10, to the word "same," in line 12. —(*Mr. Macartney.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

MR. MACARTNEY: I will now move, in page 1, line 12, after "same," to insert "whose whole time has been devoted to the service of such asylum." I move this, because I think it is not right that any public officer should be entitled to superannuation, unless he has devoted his whole time to the service of the office in respect of which he is superannuated. The words I have quoted are from the District Lunatic Asylums Act of 1867.

Amendment proposed, in page 1, line 12, after the word "same," insert the words "whose whole time has been devoted to the service of such asylum."—(*Mr. Macartney.*)

Question proposed, "That those words be there inserted."

MR. CHANCE (Kilkenny, S.): The object I had in view in introducing this Bill was to assimilate the law of Ireland to that of England, and I would remind the hon. Member that in the English Act this restriction does not exist. I would point out that this Bill does not give a right to pensions, but enables the Asylums Boards to grant them if they think it right to do so. Then, when it is done, it is not legal until ratified by the Lord Lieutenant. In addition to that, I think I am right in saying that in the Poor Law Rules there is an express provision saying that where an officer does not employ his whole time in the service of the asylum that fact shall be taken into consideration in the matter. I have no doubt that the fact would be taken into consideration by the Boards; and I think it would make the Act unsymmetrical, so far as the English Act is concerned, to adopt this Amendment. Beyond that, there may be cases where it would be right and proper to give a man a full pension even where he has not devoted his whole time to the service of the asylum. Take the case of a surgeon who has been injured by a violent lunatic. It would be a hard thing to deprive him of the benefit of a pension merely because he visited two or three patients in the town where the asylum was situated. For these reasons, I trust that the Amendment will not be pressed. I am completely in the hands of the Government in the matter; but I think I am right in what I have stated.

DR. TANNER (Cork Co., Mid): I am extremely sorry to hear my hon. Friend say that he is completely in the hands of the Government with regard to this Bill. I cannot think that the hon. Member who proposes that asylum officers, unless they have devoted the whole of their time to asylum work, shall not receive superannuation allowances or pensions can know how his proposal will work. I know of one case —the case of a gentleman who holds Tory opinions, and who will, therefore, I am sure meet with the approbation of the hon. Member (Mr. Macartney). Though this gentleman's opinions are Tory, and such as I dislike, and which I reprobate on every occasion I possibly can get, I am disposed to ask that he should be treated fairly. He has been a very long time in the service of an asylum—he has actually put in 30 years' service. I will not name the asylum to which I refer, but I could do so; and there are many of similar cases which might be mentioned. Well, having for so long served as visiting physicians to asylums, and having done a great deal of good in their time, and having their services recognized as of the very first order by the Asylums Boards, I ask whether these gentlemen should be deprived of the opportunity, should it arise, of receiving a pension when perhaps illness, old age, or an accident has overtaken them? No; and I probably think it is from inadvertence, and from not knowing the connection existing between visiting physicians and asylums, that the hon. Member makes this proposal. As a rule, these gentlemen are gentlemen of the very first order in the ranks of the Medical Profession. You have these men doing work which involves no inconsiderable mental strain. Put it in this way—you have a visiting physician at a large asylum, like that of Cork, and if the resident medical super-

intendent happens to be away, the entire onus of conducting the medical affairs of the institution falls on the visiting physician. Accordingly, if you have such an individual in your service of high character and of long service, I should sincerely hope that his claims would not be overlooked. Probably the hon. Member opposite (Mr. Macartney) was not aware of these facts I have pointed out, but that now that he is acquainted with them he will withdraw his Amendment.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): There is a good deal in what has been said by the hon. Gentleman who has just sat down, and I believe there is an exception in the case of these officials in the Poor Law Rules. I would call attention to the fact that on the Board of Guardians, the nominees of the Lord Lieutenant are the persons who fix the retiring allowances. The money comes from the ratepayers; but the ratepayers have no control over its distribution. No doubt, it is wise to see that those who have the distribution are not too reckless. Under the provisions of the Poor Law Code, the officers of the Board, with the exception of the medical officer, are not entitled to superannuation legally, unless they are unable to perform their duties from illness or disease, or unless they have served the required time.

MR. CHANCE: That is under the Poor Law Code?

MR. GIBSON: Yes. In the case of lunatic asylums, under the Act 30 & 31 *Vict.* c. 118, s. 8, the hon. Member will find that the same provision applies in the case of District Asylums. It is necessary that the individual should have given his entire time before he can receive a pension. Now, it appears to me that it would be a very hard thing in the case of a general officer of a Union, that he should not be entitled to superannuation unless he has given his entire time; while if the officer of Cork Asylum should be allowed to receive a pension, without having devoted his whole time to that asylum. This Bill gives the most sweeping discretion to the authorities. If there is one thing more than another which the ratepayers dislike it is a job, and certainly if a Board of Governors were to give this superannuation allowance out of the pocket of the ratepayers to a man who had not devoted his entire time to the work of the Board, and to give it on a scale as large or larger than that enjoyed by members of the Civil Service, the result would be that it would be hard to exculpate the Lord Lieutenant or the Board of Governors from the imputation of jobbery. These points are not to be made light of, and we should always bear in mind the general principles which guide our legislation in these matters. I think, on the whole, it would be well to adopt the Amendment of the hon. Member on this side of the House, with the modification suggested by the hon. Gentleman who last spoke. The Amendment then would assimilate the case of asylums to the case of Poor Law Unions.

MR. CHANCE: The hon. and learned Gentleman proposes to insert in the Amendment, after the words "whose whole time," the words "save in the case of surgeons and physicians."

MR. GIBSON: No; only physicians.

MR. CHANCE: There is only one case where a surgeon is appointed, and that is at the Richmond Central Lunatic Asylum, where they have a visiting surgeon.

Amendment proposed to the proposed Amendment, after the word "time" insert the words "save in the case of physicians."—(*Dr. Tanner.*)

Question, "That those words be there inserted," put, and *agreed to.*

Original Amendment, as amended, put, and *agreed to.*

MR. MACARTNEY (Antrim, S.): I beg to move, in line 19, to omit the words—

"Whether incapable from sickness, age, or infirmity, or having been an officer or servant in the asylum for not less than fifteen years, and being not less than fifty years of age."

I understand that the hon. Gentleman who has charge of the Bill has taken the 15 years from the English Act; but I cannot find his authority for inserting the words "and being not less than 50 years of age." The limit of age in Ireland by law is 60, and that is the case under the Superannuation Act. It appears to me that the English Act, in lowering the number of years service from 20 to 15, did that which was not beneficial to the service. I think it would be better to leave the number of

years service at 20, and the age at 60, as they are at present in Ireland. I, therefore, move to leave out these words.

Amendment proposed, in page 1, line 19, after "servant," leave out to "age," in line 21, inclusive.—(*Mr. Macartney.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHANCE (Kilkenny, S.): I am afraid that the technical result of leaving out these words would be to increase the power of the Board of Governors, and to enable them to give pensions to persons of even less than 15 years' service, and of even less than 50 years of age. The Amendment had better be moved in the form in which it stands on the Paper, lower down—that is to say, to leave out "fifteen," and insert "twenty." I got these words from the English Act. In 1860 a Select Committee was appointed to report on the question of the Lunacy Law in England and Ireland, and it reported in favour of the view I took in framing the Bill.

MR. MACARTNEY: The reduction they recommended was only in regard to medical superintendence.

MR. CHANCE: But still the same question remains. I maintain that if you leave out the paragraph completely you will increase the power of the Board of Governors to give pensions, as I have pointed out. I think, on the whole, that, under the circumstances, it is hardly worth while to make this Amendment. I have in my hand a resolution from 12 Asylum Boards asking for a reduction of the period, and the assimilation of the law is called for on the ground that the lunatics and not the ratepayers will suffer. I appeal to the hon. Gentleman not to make this miserable distinction.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): It must be recollected that this provision, with regard to age and period of service, is to be found in the regulations with regard to the officers in the English Lunacy Department. It is, however, a question for the Committee to decide.

MR. CHANCE: I call the attention of the Solicitor General for Ireland to the great distinction there is between the case of Unions and that of pauper Lunatic Asylums. The Select Committee which reported on this question recommended for greater efficiency that the period of superannuation should stand at 15 instead of 20 years. The clause merely gives power to the Board to act on their discretion and grant any pension they may think fit. The Superintendents can never get a pension at 50 years of age; because there are a number of asylums in Ireland, and the regular course is to promote an officer from one to another; and thus if a person has served for 20 years in one, he will probably have to serve for 30 years before he gets any superannuation under this Bill. These men, again, are in constant contact with the lunatics, and are liable to be attacked by them; and it is most necessary that they should be in the possession of great bodily strength and health. This proposal, I think, makes a very grave distinction between the Asylums and Unions.

Question put, and *negatived.*

On the Motion of MR. MACARTNEY, the following Amendment made:—In page 1, line 17, after "otherwise," insert "with the approval of the Inspectors of Lunatics, or one of them."

MR. MACARTNEY: Under the English Acts the ratepayers have power to control the money devoted to the purposes of these asylums, but in Ireland they have no such control. It is with the object of enabling some control to be exercised that I beg to move the Amendment standing in my name.

Amendment proposed,

In page 1, line 26, after "always," insert "that in ascertaining and awarding the amount of such superannuation the said Board of Governors shall proceed according to the principles laid down by 'The Superannuation Act of 1859,' and"—(*Mr. Macartney*).

Question proposed, "That those words be there inserted."

MR. CHANCE (Kilkenny, S.): I am in sympathy with the object of this Amendment, but must oppose it for three reasons—first, that at present the Grand Jury has no effective control over any portion of the expenditure of lunatic asylums in Ireland; secondly, that three or more counties, if they are concerned in one lunatic asylum, will have to get three Grand Juries to approve the resolution, and a dead-lock might arise if one approved and the

other did not; thirdly, because, up to the present, the Lord Lieutenant is the head of the whole pension system in Ireland, and in a Bill of this character I do not feel entitled to introduce what is quite a new principle into the Irish Lunacy Law. For these reasons I cannot admit this provision into the Bill.

MR. MACARTNEY: I do not think there would be any more difficulty in Ireland than there would be in England, where the ratepayers as represented at several distinct Quarter Sessions are interested in one particular asylum; and I think it undesirable that the interest of the ratepayers in Ireland should be left, in this Bill, unsafeguarded in regard to the amount of superannuation.

DR. TANNER (Cork Co.) Mid): The hon. Member is running away from the point altogether. My hon. Friend has called attention to the fact that in these lunatic asylums there are large sums of money received under capitation, and what the Grand Jury provides is only in addition. I hope my hon. Friend will persevere in his opposition to this Amendment, which is only in favour of a class.

THE PARLIAMENTARY UNDER SECRETARY FOR IRELAND (Colonel KING-HARMAN) (Kent, Isle of Thanet): For my part, I do not think that the ratepayers in Ireland are sufficiently looked after; but I am ready to give way on the point so far as this clause is concerned.

Question put, and *negatived.*

On the Motion of Mr. MACARTNEY, the following Amendment made:—In page 2, line 17, after "matron," by leaving out to the end of the Clause and inserting—

"Provided that if any such matron as aforesaid at any time thereafter is appointed to any public office, or any office under the Lunacy Acts, in respect of which she receives a salary, the payment of the compensation awarded to her under this Act shall be suspended so long as she receives such salary, if the amount thereof is greater than the amount of the compensation, or, if not, shall be diminished by the amount of such salary."

Clause, as amended, *agreed to.*

Clause 4 *agreed to.*

Bill *reported;* as amended, to be considered upon *Thursday.*

Mr. Chance

FIRST OFFENDERS BILL.—[BILL 189.]

(*Mr. Howard Vincent, Lord Randolph Spencer Churchill, Sir Henry Selwin-Ibbetson, Mr. Hoare, Mr. Addison, Mr. Hastings, Mr. Lawson, Mr. Molloy.*)

THIRD READING.

Order read, for resuming Adjourned Debate on Question [7th June], "That the Bill be now read the third time."

Question again proposed.

Debate *resumed.*

MR. ISAACS (Newington, Walworth): I cannot conceive a subject of greater importance than that with which this Bill deals; and as I venture to think that it ought not to be proceeded with at this early hour of the morning (2.30), I beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Isaacs.*)

MR. HOWARD VINCENT (Sheffield, Central): I trust the House will allow the Bill to be proceeded with. This is the third time it has been brought forward, and each time the adjournment has been moved. It is quite impossible to bring on a discussion on a private Bill at an earlier hour at this period of the Session.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Bill read the third time, and *passed.*

NATIONAL PROVIDENT INSTITUTION BILL [*Lords*] [STAMP DUTIES].

Considered in Committee.

(In the Committee.)

Resolved. That, in lieu of the Stamp Duties now chargeable upon the appointment of any new Trustees and upon the deeds or assurances in the Law, the following Stamp Duties shall be payable (that is to say):—

For and upon the first Memorial containing names of Trustees enrolled or registered under any Act of the present Session relating to the National Provident Institution, the sum of Ten Shillings;

For every other such Memorial containing the names of any person or persons who shall for the first time be inserted as a Trustee or Trustees, the sum of One pound.

Resolution to be reported *To-morrow.*

TRAMWAYS PROVISIONAL ORDERS (NO. 1) BILL [BIRMINGHAM CENTRAL TRAMWAYS (EXTENSIONS) ORDER] AND [OLDHAM, ASHTON-UNDER-LYNE, HYDE, AND DISTRICT ORDER] [REPAYMENT OF DEPOSITS].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the repayment, subject to the provisions of the Rules made by the Board of Trade under the authority of "The Tramways Act, 1870," out of the sum of One hundred and ninety-eighty pounds deposited as security for the completion of Tramways 3, 4, 5, 6, 7, and 8, authorised by "The Birmingham and Western District Tramways Order, 1882," of such proportion as is applicable to Tramways 5, 6, and 7, together with any interest or dividend thereon;

Resolved, That it is expedient to authorise the repayment, subject to the provisions of the Rules made by the Board of Trade under the authority of "The Tramways Act, 1870," of the sum of Two thousand four hundred and eighty-four pounds fifteen shillings and five pence Consolidated Three Pounds per Centum Annuities, deposited as security for the completion of the Tramways authorised by "The Oldham, Ashton-under-Lyne, Hyde, and District Tramways Order, 1883," together with any interest or dividend thereon.

Resolutions to be reported *To-morrow*.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1888, the sum of £13,675,659, be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow*.

Committee to sit again *To-morrow*.

MOTION.

LOCAL GOVERNMENT PROVISIONAL ORDER (NO. 9) BILL.

On the Motion of Mr. Long, Bill to confirm a Provisional Order of the Local Government Board relating to the Local Government District of Worthing, *ordered* to be brought in by Mr. Long and Mr. Ritchie.

Bill *presented*, and read the first time. [Bill 296.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Tuesday, 28th June, 1887.

MINUTES.]—PUBLIC BILLS—*First Reading*—First Offenders* (140); National Debt and Local Loans* (141).

Second Reading — Metropolitan Open Spaces Acts Extension (69).

Committee—Metropolis Management (Battersea and Westminster)* (101); Markets and Fairs (Weighing of Cattle) (72-139).

PROVISIONAL ORDER BILLS—*Second Reading*—Gas* (123); Water* (126).

CENTRAL ASIA—AFFAIRS OF AFGHANISTAN.—QUESTION.

In reply to The Earl of ROSEBERY,

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): The last telegram received from the Viceroy was dated the 26th of the present month. In that telegram he informs me that, undoubtedly, a serious engagement took place on the 13th. Travellers, however, who have come from the country where the battle has taken place report that the Ameer's troops were defeated; but the Viceroy sends me information from Candahar to an entirely contrary effect, stating that the Ameer's troops gained a slight though decisive victory.

EGYPT — THE ANGLO-TURKISH CONVENTION — RATIFICATION AT CONSTANTINOPLE.

QUESTION. OBSERVATIONS.

THE EARL OF ROSEBERY: Seeing the noble Marquess in his place, I will put to him a Question of which I have given him private Notice—namely, Whether he has any further information to give us as to the ratification or otherwise of the Egyptian Convention at Constantinople? I hope he will not think we are unduly pressing him, and I can quite understand he may not be able to give us information at the present time without disadvantage to the Public Service; but I may remind him that he promised us that some particulars should be given on the re-assembling of the House after the Whitsuntide Recess. Though I can fully comprehend why he cannot lay the Papers before us, yet there may be some general information and particulars which can be given at this moment.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I freely acknowledge that the noble Earl opposite (the Earl of Rosebery) has every right to make the inquiry he has just made; but when I promised him information after Whitsuntide, it never occurred to me that there would be any difficulty about the ratification of the Convention. At present I have only to say that on Sunday I received a very emphatic request from the Ottoman Government that another week's delay should be allowed them for the ratification, on the ground partly of religious ceremonies which have recently taken place at Stamboul. Though a delay of that kind is unusual, I felt that I had no right, or, at all events, no ground, for declining to accede to the request; and, therefore, I agreed that the ratification should take place next Monday, it being understood that that date is definitive.

METROPOLITAN OPEN SPACES ACTS EXTENSION BILL.—(No. 69.)

(*The Lord Mount-Temple.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD MOUNT-TEMPLE, in moving that the Bill be now read a second time, said, one of the many satisfactory circumstances of the present day was the sympathetic desire of those who had the power to supply to the inhabitants of crowded parts of the towns opportunities of recreation and enjoyment in open places rendered attractive and pleasant for that purpose. Churchyards which ceased to be required for their original purposes, and were closed against burials, had now another use which did not interfere with their consecrated character. This action began with individuals, was then taken up by societies, such as the Commons Preservation Society and the Metropolitan Public Gardens Association, and had reached the Local Authorities in the Metropolis and in other towns. The Local Authorities in many towns and populous places were desirous of using their funds for this form of recreation and amusement, but found that their legal powers were insufficient and that they must have recourse to a Private Act of Parliament at an expense which was considerable even when the Bill was unopposed. The object of the Bill was to extend the powers which had been found satisfactory in the Metropolis to urban and rural sanitary districts throughout the country, the legal powers which had been worked so satisfactorily by the Metropolitan Board of Works and by Vestries and District Boards. It would enable Corporations to appropriate their land for open spaces, to sell or give land to urban authorities to be used for the enjoyment of the public, and would enable the urban authority to accept such open spaces for the enjoyment of the public, and to expend their funds for fitting disused burial grounds to be used as public gardens by the public. He begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Mount-Temple.*)

LORD DORCHESTER said, he regretted that his noble Friend (the Earl of Meath) was not present to give their Lordships an account of the admirable work which had been done by the Society of which he, while Lord Brabazon, was at the head, and which had been the means of opening up something like 50 acres of land of various descriptions, but chiefly disused burial grounds in the Metropolis, into pleasant gardens, at a cost of about £14,000. The Society would be greatly encouraged in their work by the introduction of the Bill. Their Lordships might not be aware of the underhand means employed to obtain consecrated ground for purposes of private profit.

LORD BALFOUR said, the Bill had passed through the other House of Parliament after considerable amendment. It was a measure which was purely permissive in its operation, and, under the circumstances, there would be no difficulty on the part of the Local Government Board in accepting it, although the Board would not make itself responsible for it.

THE LORD CHANCELLOR (Lord HALSBURY) said, that if the measure was passed in the form in which it had been introduced great confusion would arise. It would, therefore, require amendment in Committee. The alterations, however, would not affect the principle of the Bill, as they had reference more particularly to the Schedule.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the 8*th of July* next.

MARKETS AND FAIRS (WEIGHING OF CATTLE) BILL.—(No. 72.)

(*The Earl of Camperdown.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4, inclusive, *agreed to*, with Amendments.

Clause 5 (Cattle to be weighed at option of seller or buyer).

On the Motion of The Earl of CAMPERDOWN, Clause *struck out*, and the following new Clause *inserted* in lieu thereof:—

"Every person selling, offering for sale, or buying any cattle in a market or fair provided with accommodation for weighing cattle may require such cattle to be weighed, and the tolls payable in respect of the weighing shall be paid by the person requiring the cattle to be weighed to the person authorised by the market authority to receive the tolls."

Clauses 6 and 7 severally *agreed to.*

Clause 8 (Tolls for weighing cattle).

On the Motion of The Lord BALFOUR, the following Amendments made:—In page 2, line 27, leave out ("such"); in lines 27 and 28, leave out ("as they may from time to time fix"); and in line 29, after ("Act") insert—

("Or such other accounts as may be authorised by the Local Government Board to be taken by the market authority.")

LORD BALFOUR, in moving the insertion of a new clause after Clause 8, the object being to provide a Central Authority upon which to confer certain duties under the Bill, said, the noble Earl opposite (the Earl of Camperdown) proposed that these duties should be discharged by the Privy Council; but the Government thought they would be best performed by the Local Government Board. At present all markets set up under statutory authority, whether by Private Companies or Local Authorities, were controlled by the Local Government Board. It was only those markets which had been established by Charter which could be said to be connected with the Privy Council, whose duties even with regard to them were of the slightest description. It was, therefore, thought more desirable that all markets should be placed under the authority of the Local Government Board as far as this Act was concerned.

Moved, after Clause 8, to insert as new Clauses:—

(Power to exempt certain markets and fairs from provisions of Act.)

"(1.) The market authority of any market or fair may at any time apply to the Local Government Board to be exempted from the provisions of this Act on the ground that the sale of cattle at such market or fair is or is likely to be so small as to render it inexpedient to enforce the provision and maintenance of a place for weighing cattle and of a weighing machine under this Act; and thereupon the Local Government Board may by order declare that this Act shall not apply to such market or fair until after the expiration of a time to be limited by such order. Any order made under this section may at any time be wholly or partially rescinded, altered, or extended by any subsequent order of the Local Government Board.

"This Act shall not apply to any market or fair to which any order under this section applies so long as it is declared by such order that this Act shall not apply thereto."—(*The Lord Balfour.*)

THE EARL OF CAMPERDOWN said, the substance of the Amendment which stood in his name was, that any small market to be exempted from the operation of the Act might apply to the Privy Council, and if the Privy Council was of opinion that it was a case for exemption such exemption should be granted for a certain time. The great difference between the proposal of the noble Lord and his own was whether the duties should be discharged by the Local Government Board or the Privy Council.

Amendment *agreed to;* Clause *added* to the Bill.

On the Motion of The Lord BALFOUR, the following new clause inserted at end of Bill:—

(Application of Act to Scotland and Ireland.)

"10. In the application of this Act to Scotland and Ireland this Act shall be read and construed as if for the expression 'the Local Government Board' there were substituted, as regards Scotland, the expression 'the Secretary for Scotland,' and as regards Ireland, the expression 'the Local Government Board for Ireland.'"

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 139.)

PATTERNS OF WARLIKE STORES — MILITARY ADMINISTRATION.

RESOLUTION.

LORD CHELMSFORD, in rising to draw attention to the Report of the Royal Commission appointed "to inquire into the system under which patterns of warlike stores are adopted, and the stores obtained and passed for Her Majesty's Service," and to move—

"That it is desirable to appoint a 'Commission of high authority' (as recommended in paragraph 197 of the Report in question) to consider and determine the important questions raised in that Report, as well as those which the Commissioners felt were 'beyond their province to discuss,'"

said, that the inquiry of the Commission was of an important and interesting character; but, although it was a military inquiry, the five Members included only one military officer on the active list—namely, Sir Archibald Alison. The Chairman was Sir James Fitzjames Stephen, and the other Members were Sir Walter B. Barttelot, Admiral Salmon, and Dr. John Percy. Such a Commission must have approached the subject without any bias as regarded the subjects they were called on to investigate. It began its sittings in October, 1886, and its Report was dated in May, 1887. He trusted that those of their Lordships who had not read the Report would be induced to peruse it carefully. It was gratifying that the Commission was able to report that the charges of corruption which had been brought against the Ordnance Department were false and unfounded, and that nearly all the instances alleged were either wholly untrue, or were distorted versions of innocent facts. We might congratulate ourselves that officials whose characters had been so grossly libelled had been so thoroughly vindicated by the Report of the Commission. In calling attention to the Report, he was anxious to be considered not as stating his own opinions, but as submitting the views of the Commissioners. The first witness was the ex-Secretary of State for War, the present Leader of the House of Commons, Mr. W. H. Smith. It was evident, from the questions that were put to him, that the Commissioners were going beyond the scope of the inquiry as it was defined by the terms of the Reference. There ensued a conference between the Chairman of the Commission, Mr. W. H. Smith, and the Lord Chancellor, and the question to be decided was how far the inquiry should extend. The Commissioners contended that the functions of the Secretary of State for War formed a part of the system under which stores were provided. Mr. W. H. Smith did not deny it, but expressed the opinion that it would not be proper for the Commission to inquire into the general administration of the Ordnance Department and the maintenance of reserve stores. These questions, which were excluded from the purview of the Commission, ought, he considered, to have been fully inquired into. The Commission began by giving an historical account of the system which prevailed in the War Department, and which was initiated before the Crimean War. In 1869 a Committee, which was known as Lord Northbrook's Committee, laid down generally the present organization of the War Office. How far the views of that Committee had been carried out it would be for that noble Lord to say. One object of the Committee was to consolidate as far as possible the offices of the Commander-in-Chief and the Secretary of State for War, while the powers of each were to be independent. The Commission pointed out that the Secretary of State was charged with several functions, any one of which was sufficient to occupy the whole time of one man. He was a Member of the Cabinet, a Member of Parliament, the head of the political Department of the Army, or rather the head of the Army altogether, and the head of the Ordnance Department; he had to deal with questions connected with fortifications and commissariat, and he had to frame the Military Estimates. It was morally and intellectually impossible for one man, under the present system, to discharge all these duties; he could not have the strength, time, and knowledge that were essential to the efficient discharge of them; and, therefore, he must perform some of them under disadvantages that would reduce him to impotence. The holder of the office was constantly being changed. The Commissioners went on to state that there was never, at any time, any binding or permanent declaration of the intentions of the War Office by which the public could be guided in judging of the value of the Estimates,

There was no continuous system of administration, and the principal officers at the head of the Department, who were expected to advise the Secretary of State for War as to the main expenditure of the Military Estimates, were shown to be in the hands of subordinates. The Field Marshal Commanding-in-Chief was the only military head of the War Department; while at the Admiralty there were four Naval Lords and the Controller General, who was also a Naval Officer. After looking at other portions of the Report of the Commissioners, he felt bound to express the opinion that the whole subject of the administration and organization of the War Office ought to be inquired into, and that more military experience and knowledge seemed to be required in the higher branches of the Department. He would not enumerate the recommendations of the Royal Commission, but would ask that they might receive careful consideration at their Lordships' hands. Lord Wolseley, who was examined before the Commission, suggested that a Royal Commission should be appointed, consisting of Members of both Houses of Parliament who were not soldiers, but who were acquainted with judicial matters, for the purpose of seeing whether some system could not be established by which the administration of the Army should be arranged on a more satisfactory footing. It was this that he ventured now to move for, and with regard to the questions which Sir James Stephen's Commission did not feel justified in discussing, because they were debarred by their instructions, he urged that these certainly ought to be inquired into. Under the existing system the whole of the business of the War Office was entirely in the hands of subordinates, to whom the heads of the minor Departments were obliged to trust, and the policy of the Department depended upon the subordinate who happened to be consulted. This was a most unsatisfactory state of things. It must bring discredit upon the administration of the Department, and could not be conducive to the interests of the Army. The noble and gallant Lord concluded by moving the Motion that stood in his name.

Moved to resolve, "That it is desirable to appoint a 'Commission of high authority' (as recommended in paragraph 197 of the Report of the Royal Commission appointed 'to inquire into the system under which patterns of warlike stores are adopted, and the stores obtained and passed for Her Majesty's Service') to consider and determine the important questions raised in that Report, as well as those which the Commissioners felt were 'beyond their province to discuss.'"—(*The Lord Chelmsford.*)

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, it was desirable, as far as possible, to limit the discussion which the noble and gallant Lord had raised to one point. He could hardly think that the noble and gallant Lord was anxious to bring before their Lordships the whole question and all the questions raised in the Report of the Royal Commission for one or two reasons. In the first place, the Minutes of the Evidence had not yet been printed, and it was very desirable that their Lordships should see the Evidence before the matter was fully gone into. Then, as they had already been informed, there was a Committee sitting at the present time to report on the organization and administration of the manufacturing Departments of the Army, and, for various causes, that Committee had not yet presented its Report. The Secretary of State was compelled to wait for that Report before he could make known to Parliament any of the alterations he might deem it advisable to make in the system of the administration of the War Office. For these reasons, he thought it would be well to wait until that communication was made to Parliament by the Secretary of State, before dealing with the whole of the Report of the Royal Commission so far as it touched the organization of the War Office. He was anxious, therefore, to limit this discussion to what he conceived to be the object of the noble and gallant Lord. The Motion which the noble and gallant Lord had moved referred to paragraph 196 of the Report. This paragraph dealt with the question of a definite standard being laid down. It stated—

"The first step to be taken is to establish a definite standard according to which military administration ought to be regulated, and at the attainment of which it ought to aim. The establishment of such a standard would have to apply to other subjects than stores, because the different parts of our military and naval system have a relation to each other, and it is impossible to say precisely what should be done with regard to any one of them unless it is known what is to be done with regard to the rest. Questions

of the provision of stores, questions as to the amount of Reserves, and other questions of the same kind can hardly be determined unless there is an understanding as to the number of armed bodies for which provision has to be made and the kind of contingencies which it is proposed to provide for."

The Commission went on to suggest that if it were decided to make provision for the complete equipment of so many thousand men on short notice and of so many others on longer notice—

"If conditions were laid down under which the Militia, the Yeomanry, and the Volunteers should be embodied and rendered fit for service, it would be possible to lay down in a clear way the amount and the nature of the stores which ought to be forthcoming at any moment."

From the fact that the noble and gallant Lord used the very words in the Report —"a Commission of high authority"— he imagined that it was desired to deal solely with the question of *personnel* and *matériel*, and not with the larger question with regard to the organization of the War Office. He gathered that it was the wish of the noble and gallant Lord that this Commission of high authority should act as advisers to the Secretary of State upon most military questions; but he (Lord Harris) did not gather that himself from the Report. It was clear to him that Lord Wolseley had, in his mind, a military body to deal with the questions arising every day as to the selection, testing, and pattern of weapons. Taking that view, he did not propose to deal with the organization of the War Office, but only with the question that a standard should be laid down as regards *personnel* and *matériel*. As regarded that, he thought that he might say at once that Her Majesty's Government did approve, undoubtedly in principle, that such a standard should be laid down if it were possible to do so; but it was still open, he thought, to doubt whether such a body as a Commission of high authority —not a military body—would be the best to lay down a standard as regards *matériel*. The question of laying down a standard as regards *personnel* was a very large one, mixed up with their Party and Parliamentary system, and it was impossible for him to go into it now. As regards *matériel*, this country fought under such peculiar circumstances, operating as it did in every part and climate of the world, that there always arose difficulties as to *matériel* which it would be no more possible for a Commission of high authority to clear up than it was for the present system. Take the Bechuanaland Expedition. A standard was laid down, but Sir Charles Warren made important changes in pattern. Again, in the Nile Expedition, the whole of the boat equipment had to be provided almost at a moment's notice. No doubt, with a large part of the supplies and equipment a Commission of high authority would be perfectly able to deal. With regard to *personnel*, he thought it might be possible for a Commission of high authority to lay down what the country would be capable of sending out in the case of a European war, but not what might be required for the various campaigns in which England was constantly engaged. This question of laying down a standard had not escaped the attention of the Military Authorities. If the attempts which had been made had failed, and if the present attempt did not prove more successful, he could not admit that it was only the War Office which was to blame. Their Party and Parliamentary system must take some share of the blame. He hoped the noble and gallant Lord would not suppose that the Government had any idea of evading the suggestions made by the Royal Commission, because he (Lord Harris) preferred not to go into it that evening. They were fully aware of the importance of such a Report made by such a Commission; but it would be impossible for them as yet to make any statement to Parliament of the alterations which might be thought necessary in a system of such long standing as the War Office. The Government were fully prepared to give consideration to the recommendations of that Report, and his right hon. Friend the Secretary of State for War would inform Parliament before the Recess as to the changes which he proposed to make in the system of administration. The Government, he repeated, fully approved, in principle, of the idea that a standard should be fixed both for men and *matériel;* and, in view of that assurance, he trusted the noble and gallant Lord would not press his Motion to a Division.

THE EARL OF NORTHBROOK said, he thought, with the noble Lord the Under Secretary of State for War, that it would be desirable to have the evidence before them before they proceeded

to deal with the question of the organization of the War Office. He was glad to find, from the Report of Sir FitzJames Stephen's Commission, that the cruel charges against the officers connected with the Department of Ordnance had been completely refuted. As he had not himself been able to give evidence before the Commission, he should like to offer a few remarks in explanation of part of the Report. His noble Friend had quoted two paragraphs from the Report, in the first of which it was said that the intention of the Committee, over which he (the Earl of Northbrook) had presided in 1870, was to retain the powers of the Commander-in-Chief and the Secretary of State for War as independent of each other. That was an entire misapprehension on the part of the Commissioners. So far from that being the object of the Committee, their object was precisely the contrary. It was stated in their Report, which was laid before Parliament in 1870, that—

"No sound system of administration can be framed if it be not established on the following principles—first, that the Secretary of State is the Minister responsible both for the efficiency of the Army and for its economical administration, and that all the Departments of Army administration are subordinate and responsible to him."

The Committee, secondly, went on to say that—

"Confidence should be placed in and responsibility fixed upon the chiefs of the principal Departments. If the Secretary of State is burdened with the details of current business it is difficult for him, even in times of peace, to deal satisfactorily with the larger questions which constantly arise; and in time of war it would be impossible for him to supervise the operations for which he would be responsible. It is necessary, therefore, that much of the daily work of Army administration should be done upon the responsibility of officers under him. The same principle applies to the business of the chief of Departments—more responsibility should be placed upon subordinate officers in many branches of Army administration."

In consequence of that Report a Bill was introduced into Parliament, authorizing the addition of two officers at the War Office, who might have seats in the House of Commons—the one of whom was the Financial Secretary, and the other was the Surveyor General of the Ordnance. The opinion expressed by the Committee over which he presided was entirely confirmed by Lord Cardwell, then Secretary of State for War, in his place in the House of Commons. In introducing the War Office Bill Lord Cardwell said—

"The appointment of the Secretary of State for War may be regarded as the declaration by the Crown and by Parliament of the principle of undivided responsibility in the person of the Secretary of State for War."—(3 *Hansard*, [199] 301.)

Lord Cardwell also said that the division of labour should be combined with unity of responsibility, and that it was absolutely impossible for anybody to be in the full sense of the word responsible for such a Department unless he had responsible assistants. So far for the general principles on which the organization of that day was based. He now came to the other paragraph which the noble Lord had quoted from the Report of the Commission, which related to the position occupied by the Surveyor General of the Ordnance. The Report said with perfect truth that that appointment had been held since it was made in 1870 by many gentlemen who had no military experience, and no technical and no professional qualifications for performing the duties of the office. He quite agreed with the opinion expressed by the Commissioners that that had been a great misfortune; and he thought it only right to say that the appointment to the office of Surveyor General of the Ordnance of anyone who had not professional qualifications was contrary to the recommendations made by the Committee over which he had presided. The Committee, in their Report, said—

"Looking to the magnitude of the expenditure and the importance of the business connected with the supplies of the Army, it cannot fail to be a great advantage that the Control Department should be represented in Parliament; but it must not be forgotten that the duty of administering the supplies of the Army requires special qualifications, and the first object should be to appoint to the office a person possessing those qualifications. It would therefore, we think, be unfortunate if the appointment came to be considered as one which must, as a matter of course, be conferred upon a Member of Parliament. It would be sufficient, in our opinion, that the office should be classed with those of the Naval Members of the Board of Admiralty, who form part of the political administration of the day, are eligible to sit in the House of Commons, but need not necessarily always be Members of Parliament. This was the position formerly occupied by the Master General of Ordnance; both Sir George Murray and Sir Hussey Vivian filled that office when in and out of the House of Commons."

As Under Secretary of State at the time

it was his (the Earl of Northbrook's) duty to introduce and carry through their Lordships' House the Act under which the Surveyor General was appointed, and the very point as to the possibility of Parliamentary exigencies leading to the appointment to the office of gentlemen without professional qualifications was raised in that House. It was raised by the noble Viscount opposite (Viscount Hardinge), and also by a noble Duke (the Duke of Richmond), who put an Amendment on the Paper to prevent that contingency. Speaking himself in his place in that House, he then said—

"The Bill made it possible, but not necessary, that the Surveyor General of the Ordnance should have a seat in the House of Commons. The first consideration would be to find the proper man for the office. If he had, or should acquire, a seat in the House of Commons, so much the better; if not, the want of it would be no impediment to his selection for the office." —(3 *Hansard*, [201] 90.)

The noble Duke withdrew his Amendment, on account of his (the Earl of Northbrook's) declaration that it was by no means necessary that the Surveyor General of the Ordnance should have a seat in Parliament, and that the best person should be selected, irrespective of his sitting in Parliament. If that view had been steadily followed, he thought a great deal of the criticism in the Report of Sir Fitzjames Stephen's Commission would have been avoided, and he ventured strongly to urge upon the Government the advisability of reverting to the original intention in regard to the appointment of that officer. He was bound to say he did not think it was for the benefit of the Public Service that that officer should become a mere Parliamentary mouthpiece of the permanent officials. The Controller General of the Navy was a Member of the Board of Admiralty. He was not a political officer. He was appointed for five years, and though he belonged to the Board of Admiralty, which changed with the change of Government, yet no First Lord of the Admiralty would think of changing the Controller General of the Navy in forming a new Board of Admiralty. In consequence of the suggestions of the noble Lord opposite, he would abstain from going into the far larger question of the position of the Secretary of State for War and the proposal made by Sir James Stephen's Commission, which was surrounded with difficulties, for establishing a separate officer at the head of the Ordnance Department, who should be partly responsible to the Secretary of State and partly independent of him. The proposal of Sir James Stephen's Commission was that, there should be another Commission to which the strength both of the *personnel* and the *matériel* should be referred. He was not at all surprised that the noble Lord who represented the War Office had pointed out the great difficulty there would be in requiring any Commission to lay down what the *personnel* of the service should be. He thought, moreover, that to appoint a Commission for that purpose would be, in some degree, open to Constitutional objection; because it seemed to him that the strength of Her Majesty's Forces was a matter which must be decided on the responsibility of the Government. Moreover, with respect to the strength of the Navy, which must also be referred to the Commission—for the supply of guns and stores for naval service was one of the most important functions of the Department of Ordnance—it would be very difficult to foresee what the requirements of the Service might be. This country might be engaged in war with a Naval Power, or with a non-Naval Power, and it would be very difficult for any Commission to lay down beforehand a permanent basis for the naval strength of the country. Although he saw great objections to the appointment of a Commission which should determine the strength of the *personnel*, he did not entertain similar objections to the appointment of a Commission, in whatever manner the Government might think desirable, for the purpose of laying down what the standard supply of stores should be, the basis of the calculation being supplied by the responsible Minister. One of the recommendations of Sir James Stephen's Commission he would venture to press upon the Government—the desirability of giving greater publicity to the condition of stores and the general rate at which they were being kept from year to year. This he believed could be done without real danger to the country, and would constitute a protection against undue reduction of military or naval stores in any year when the Ministers responsible for the Army and Navy Estimates might

find it difficult to hold their own against a too-powerful Chancellor of the Exchequer. There was always a strong temptation to effect a reduction of stores, because it was an easy way of carrying out a reduction in expenditure. He ventured to think that the points he had adverted to were of considerable importance, and he was satisfied that Her Majesty's Government would give them consideration.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, on the part of the Government, that the House was indebted to his noble and gallant Friend (Lord Chelmsford) for bringing this subject forward. He agreed with much that had fallen from the noble Earl who had just sat down (the Earl of Northbrook); but with regard to some of his remarks he could not help thinking that when the Evidence was produced it would turn out that the organization or re-organization of the Department had not been so fully inquired into as his noble Friend seemed to imagine. The Commissioners had reported wisely and judiciously upon many matters; but he could not help thinking that there had been some little neglect of the Constitutional position of the Office. He thought they had not considered the question of the responsibility of the Head of the Department to Parliament so fully as they might have done, for it was quite impossible to fix the *personnel* and the *matériel* by any extraneous authority without the War Minister taking the responsibility of bringing them before the House of Commons. Upon that point their views of the position of the Master General of the Ordnance with regard to the Estimates would not for a moment be tolerated. Whether they were to have a Parliamentary official in place of the Surveyor General of the Ordnance was another matter; but it was a mistake to suppose that the Secretary of State was not in communication with the military experts. He knew that in regard to all questions, whether relating to stores or not, the Secretary of State was in constant communication, not only with the Surveyor General, but with the Director General of the Ordnance and the military officials. It would be premature now to go into the great questions which had been adverted to; but he must say that the country was greatly indebted to Sir James Stephen for the manner in which he had, in a judicial character, gone into the cruel charges made against certain officials. And it was a matter of great satisfaction that the conclusions of the Commission showed that anything like corruption, dishonesty, or fraud did not exist among those who were entrusted with the administration of the affairs of the Department. He had no doubt the Report of the Commission would give rise to very serious discussion, but it would be premature at present to pronounce on many of the questions.

THE EARL OF MORLEY said, he must also express his great satisfaction that the abominable charges which had been made against the officials of the Department had been proved to be utterly unfounded. He regretted that the Committee of which he was the Chairman had not yet made their Report; but he hoped that that Report would be in the hands of the Secretary of State for War within the next fortnight. With regard to the very important proposal that had been made by the noble and gallant Lord (Lord Chelmsford), he trusted that if a Commission were appointed it would not derogate in any way from the responsibility of the Secretary of State for War. Anything which would take away the responsibility of the Secretary of State to Parliament would be a great injury, and would, as far as he was aware, be contrary to the Constitutional usage and to the custom of Parliament. Of the two subjects, establishments and stores, which it was proposed to refer to this Commission, it seemed doubtful whether an inquiry into the former would not be an infringement of the principle of the Mutiny and Army Annual Acts. As to stores, however, he agreed that there should be greater publicity. All these topics, however, could be more satisfactorily discussed when the evidence taken before the Royal Commission was in their hands.

LORD CHELMSFORD said, he felt bound to deny that his Motion applied merely to the narrow questions of *matériel* and *personnel*. After the discussion which had taken place, however, he should not press his Motion, and would ask leave of their Lordships to withdraw it.

Motion (by leave of the House) *withdrawn.*

In reply to The Earl of MORLEY,

LORD HARRIS said, he thought the evidence would be in the hands of their Lordships in about a week.

NAVAL VOLUNTEERS.

MOTION FOR PAPERS.

EARL COWPER, in rising to move for—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty as to sanctioning a scheme for obtaining and arming a steamer for the use of the local Royal Artillery Volunteer force at Brighton,"

said, that, contrary to expectation, the loan of a gun for the practice of the Naval Volunteer Force at Brighton had been refused by the Admiralty. The Association had met with a rebuff. He contended that the subject of coast defence was one of the greatest importance to the country. He would not, however, repeat the arguments in favour of the proposal of the Association which he had used a few days ago when this subject was before the House. In his opinion, this force should receive every possible encouragement; but instead of that he could not help feeling that in this Correspondence they had received but scant courtesy from the Admiralty. He hoped that the Correspondence would show that they had misunderstood the attitude of the Admiralty, or that they should find that the policy of that Department would be considerably modified.

Moved, That there be laid before the House—

"Correspondence between the Naval Volunteer Home Defence Association and the Admiralty as to sanctioning a scheme for obtaining and arming a steamer for the use of the local Royal Artillery Volunteer force at Brighton."—(*The Earl Cowper.*)

VISCOUNT SIDMOUTH said, that he had that day been on board the *Rainbow*, the headquarters of the London Naval Volunteers—the most important of the four Naval Volunteer Corps which existed. The vessel was presented to the corps 12 years ago by the Admiralty. She was now utterly rotten from top to bottom; the deck was full of holes, and the condition of her timbers precluded the corps from working her guns. That was not encouraging to a body of men as to whose willingness and efficiency the most satisfactory accounts had been received from the naval officers who had inspected the various corps. When a country like France, where the maritime feeling was not nearly so great as it was with us, had a well-fitted ship moored in the Seine for the purpose of naval exercise, something more attractive and serviceable ought to be provided in London than what was now to be found before Somerset House. A corps composed of 1,800 or 2,000 men was utterly inadequate to represent the aspirations of Englishmen who wished to serve their country as it was so admirably served by the Military Volunteer Corps. If means were taken to make the Naval Volunteers efficient, he believed they might stand by the side of the Military Volunteer Corps which now existed. It was not by any means satisfactory that in the case of a corps which had been enrolled 15 years the Government should have waited for the noble Earl (Earl Cowper), who spoke with high authority as the head of the Association, to take the matter up, and should have so long entirely ignored those who bore Her Majesty's commission.

THE EARL OF RAVENSWORTH said, he had heard with the greatest possible surprise and regret the complaints from both sides of the House that this great national movement had been looked coldly upon by the Admiralty. He believed that many naval officers had a high opinion of the movement. It was his good fortune some short time ago to be present when His Royal Highness the Commander-in-Chief came down to the North Country and addressed large audiences. In the whole course of his experience he had never heard so powerful, statesmanlike, and clear a description of what our coast defences should consist of as was given by His Royal Highness on that occasion, and the pith and marrow of his two great speeches was the absolute necessity of more efficient defences for our commercial ports and harbours. Open threats had been made by Foreign Powers that in the event of war our ports would be attacked. We could not expect that our ordinary Naval or Military Forces could adequately provide for their defence. For that purpose we must rest to a great extent upon voluntary aid, and we had no right to expect such assistance unless the Government of the day gave

the movement every possible encouragement and support. The Government ought to furnish boats, guns, and ammunition for purposes of drill. What he wanted to impress upon them was that this was a great national movement; that it was only in its origin; and it did not advance as fast as it might, because the Government had not taken it up with that anxiety to promote it which every Government ought to show.

LORD ELPHINSTONE (A LORD in WAITING) said, he regretted he was not able to be in the House last Thursday when this Motion was first made. With regard to obtaining and arming a steamer the Admiralty would in every way encourage local effort. They had no desire, and the naval officers had no desire, to throw cold water upon the movement. They were ready to co-operate wherever it could be shown that such effort would result advantageously in the case of war. But, in the present instance, it was very doubtful indeed whether the action proposed of mounting a small gun on board a small coasting steamer would materially add to the coast defences, or relieve the Navy of any part of its duty. What the Admiralty recommended was that there should be a combined effort on the part of all the seaport towns, by which tugs, and other similar vessels, could be rapidly converted into gunboats, and such combined effort would meet with their hearty appreciation; but no offers had been made by any combination or body to the Admiralty. The Admiralty would, out of deference to the position held by the noble Earl as Chairman of the Association, willingly assist him in obtaining a gun—he said "would assist," because he must point out that the Admiralty had no guns to give, and when they wanted guns themselves they had to apply to the War Office. However, any application, if forwarded to the Admiralty, should be sent on to the proper authorities with a strong recommendation in its favour. The noble Earl was reported to have said that the answer received by the Association from the Admiralty was a short dry answer amounting to a snub, and coached in such terms as made members of the Association feel that they might as well dissolve at once. He was surprised at that remark. He had gone over the whole Correspondence, and he failed to see that it deserved any such severe censure. There would be no objection to the production of the Correspondence asked for.

Motion *agreed to.*

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—NAVAL REVIEW AT SPITHEAD.

QUESTION.

LORD BRAYE asked, What accommodation it is proposed to afford Members of both Houses of Parliament to witness the Naval Review off Spithead on Saturday, 23rd July next?

LORD ELPHINSTONE (A LORD in WAITING), in reply, said, that the arrangements were practically completed, but there were some minor details to be settled; and if the noble Lord would repeat his Question on Thursday he would be in a position to give him every information.

House adjourned at a quarter before Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 28th June, 1887.

MINUTES.]—WAYS AND MEANS—*considered in Committee—Resolution* [June 27] *reported.*

PRIVATE BILL (*by Order*)—*Third Reading*—Clark's Patent,* and *passed.*

PUBLIC BILLS — *Ordered* — *First Reading* — Presumption of Life Limitations (Scotland) Act (1881) Amendment * [300]; Consolidated Fund (No. 2).

First Reading—Pluralities Acts Amendment Act (1885) Amendment * [301].

Committee—Report—Truck [109-299].

Considered as amended—Criminal Law Amendment (Ireland) [290] [*Second Night*], *debate adjourned.*

Third Reading—Customs and Inland Revenue [241], and *passed.*

Withdrawn—Deep Sea Oysters * [151].

QUESTIONS.

IRISH LAND LAW BILL—GLEBE LAND PURCHASERS.

MR. DILLON (Mayo, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that the Government intend to introduce Amendments into the Land Bill, extending the

benefits of "The Land Purchase Bill (1885)," to the purchasers under the Bright Clauses of the Act of 1870, and giving substantial relief to the glebe land purchasers; and, if so, whether the Irish Government will stay proceedings for recovery of arrears from these classes of tenants till they shall have had an opportunity of obtaining the relief promised by the proposals of the Government?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: As regards the first part of this Question, I beg to refer the hon. Gentleman to the answer given by the First Lord of the Treasury to a similar Question put by the hon. Member for South Londonderry (Mr. Lea) on Thursday last. I will repeat it, of course, if the hon. Member desires. As regards the second part, the Government have already stated that they have no desire to press with undue harshness on tenants who are, unfortunately, in arrear; but they cannot undertake to advise the Land Commissioners to stay proceedings instituted against tenants who have not given substantial proof of an honest endeavour to reduce the arrears due by them.

MR. DILLON: I desire to say, Sir, in reference to the first part of the reply of the right hon. and gallant Gentleman, that I consider——

MR. SPEAKER: Order, order!

MR. DILLON: Then, Sir, I wish to ask your opinion on a question of custom in this House. This is a small matter; but it is a question of fact. I gave Notice of this Question on Friday week. It appeared upon the Paper issued on Friday week as the first Question for this day. There was then, or for some time after, no Notice in the name of the hon. Member for South Londonderry (Mr. Lea). I take it for granted that both he and the Chief Secretary must have been aware that my Question was on the Paper; and by some arrangement the hon. Member for South Londonderry asked the same Question, intervening between the Notice I gave and the day on which my Question was to be asked. But I would ask the right hon. and gallant Gentleman, Sir, can he not give some more definite assurance that the Government in Ireland will abstain from pressing for arrears poor tenants who may hope for relief under the approaching measure of the Government until we and they have an opportunity of knowing what the nature of that relief is?

MR. LEA (Londonderry, S.): May I be allowed to say, in connection with what the hon. Member has just stated, that I never saw his Question, nor did I hold any communication with the right hon. and gallant Gentleman whatever. May I ask the right hon. and gallant Gentleman whether these Amendments will be introduced into the Bill before it comes to this House or after?

COLONEL KING-HARMAN asked for Notice of that Question. He could assure the hon. Member for East Mayo that he was not aware that his Question had been on the Paper. The Question of the hon. Member for South Londonderry (Mr. Lea) was asked of the First Lord of the Treasury. With regard to the Question of the hon. Member for Mayo, the Government had no actual power, but the Land Commissioners had; and it was the intention of the Government to advise that tenants who were not allowed to come under the operation of Lord Ashbourne's Act in consequence of having been in arrear at that time would be allowed the privilege conferred on other tenants on payment of a year's rent.

COURT OF SESSION (SCOTLAND)—SHORTHAND WRITERS.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, Whether the Judges of the Court of Session are agreed that they have the right to appoint one shorthand writer to their respective Courts, to the exclusion of others equally qualified; whether those who have made such exclusive appointments have nominated the same or different shorthand writers; if the same, whether the gentleman appointed performs his work personally or by deputy; whether reporters, whose services are accepted when employed by the official reporter, are ever allowed to practise in the restricted Courts on their own account; and, if he would state the fees authorized by the auditor of the Court of Session to be charged for shorthand reports and extending notes of proofs in that Court, and the fees sanctioned by Court of Session Act of Sederunt of 4th December, 1878, for shorthand reports

and extending notes in the Sheriff Courts of Scotland?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Her Majesty's Government have no right to interfere with the Judges of the Court of Session as to the mode they, or any of them, may adopt for securing efficient shorthand reporting of evidence. As regards the fees, the auditor allows for attendance £3 3*s.* for a whole day, a smaller fee for a proof not occupying a whole day, and 1*s.* 6*d.* per sheet of 250 words for extending. As regards the Sheriff Court, the Act of Sederunt, 1878, allows for attendance at proofs and commissions a sum not exceeding 5*s.* per hour, besides travelling charges when necessary, and 1*s.* 6*d.* or 2*s.* per sheet for extending, the smaller sum being charged in cases where the sum in question is below £25.

SCOTLAND — THE CROFTER COMMISSIONERS—COSTS.

MR. FRASER-MACKINTOSH (Inverness-shire) (for Dr. R. MACDONALD) (Ross and Cromarty) asked the Lord Advocate, If he will make inquiries of the Crofter Commissioners, why, in over 700 cases decided against the landlords by reduction of rent, no costs have been awarded to the successful litigants; and, if they intended to refuse costs in all cases as they have hitherto done, why they have published an official scale of fees to regulate such costs?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Crofter Commissioners are not acting as a Court between litigants; but as arbiters appointed to conduct compulsory arbitration. The Statute gives the Commissioners the discretion to deal with the question of costs, and they have to fix a scale of fees to be applied in cases where costs might be given. There is no reason to suppose that the Commission formed any general intention in regard to the question of costs; and I must decline to give an answer based on any such assumption. And, in my view, it would be most improper for a Member of the Government to ask a Commission appointed by the Crown to give him reasons for their decisions. The Commission is in no way responsible either to the Government or to Parliament for the judicial deliverances given by them within the powers conferred on them by the Act.

PUBLIC HEALTH (SCOTLAND) — INSANITARY CONDITION OF THE HARBOUR OF INVERGORDON.

DR. R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, Whether it is the case that the harbour of Invergordon is, from a great accumulation of filth, mud, and decayed matter therein, a standing nuisance and a serious danger to the health of the inhabitants of the town; whether the Police Commissioners of the town have delayed or refused to act in any way to compel the said owner to remove the nuisance; whether the Board of Health in Edinburgh has been twice appealed to to stimulate said Commissioners to do their duty in the matter; and, whether he will cause steps to be taken at once, before the hot weather sets in, to compel those Commissioners to call in the owner to remove the nuisance?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): There is in Invergordon Harbour an accumulation of mud and decayed matter; but the sanitary officer reports that he cannot ascertain that it has been the cause of any injury to health. No complaint of any kind has been made to the Police Commissioners or to the Board of Supervision; but the latter Board made inquiries in 1884, in consequence of a newspaper paragraph to which their attention was called. In consequence of the hon. Member's Question inquiry has again been made, with the result already stated; and the Board of Supervision is in communication with the Local Authority to see if the matter can be dealt with as a nuisance.

THE IRISH LAND COMMISSION—SUB-COMMISSIONERS—JUDICIAL RENTS.

CAPTAIN M'CALMONT (Antrim, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, How many judicial rents have been fixed by the Sub-Commissioners during the month of May, 1887; in how many instances have these decisions been appealed against; and, what proportion the aggregate of these judicial rents bears to Griffiths' valuation of the holdings on which they were fixed?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The number of cases in which judicial rents were fixed by Sub-Commissions during May last is 391. Up to the 24th of June 117 appeals had been lodged against these decisions. The aggregate of these judicial rents is less than the Poor Law valuation by 13·2 per cent, the total of the judicial rents fixed being £5,150 19*s.* 2*d.*, and the total of the Poor Law valuation £5,936 9*s.* 8*d.*

MR. HAYDEN (Leitrim, S.): Can the right hon. and gallant Gentleman say in what number of cases notice of appeal has been given since the Act has been in operation in which landlords have failed to proceed with their appeals?

COLONEL KING-HARMAN: No, Sir; of course I cannot answer such a Question without Notice.

EVICTIONS (IRELAND) — EVICTIONS AT BODYKE, CO. CLARE.

MR. M. J. KENNY (Tyrone, Mid) asked Mr. Attorney General for Ireland, If the police at Tulla, County Clare, recently forced their way into the house of Martin Flanagan, and took away his horse, for the purpose of carrying the Constabulary baggage used by the extra police at Bodyke evictions from the scene of the encampment to the Railway Station at Ardsollers; and, if so, by what right they so acted? In addition, he wished to ask whether two other horses and cars besides those mentioned in the Question were impressed by the police?

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) (who replied) said: The facts are not quite accurately stated in the Question. The police acted under a warrant granted under the provisions of the Army Act of 1881, which enables carriages and horses to be provided for the transport of regimental baggage and stores. The horse referred to was taken in pursuance of the warrant for the purpose of conveying the baggage of the military from Fortane to the railway station. With regard to the supplementary Question of the hon. Member, I believe that other horses were taken under the same warrant. I do not know that other vehicles were taken.

MR. M. J. KENNY asked, whether the horses were not used for the purpose of conveying not the baggage of the military but of the police; and whether the Royal Irish Constabulary were included in the Army Act?

MR. GIBSON said, he understood that the warrant was executed for the purposes of the military only. The hon. Gentleman probably knew the police were bound to act in obedience to the warrant when the warrant was issued.

NAVY — DOCKYARDS — ALLEGED MISAPPROPRIATION OF GOVERNMENT ARTICLES AT HAULBOWLINE WORKS

MR. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any of the Constabulary stationed at Haulbowline have made representations to the authorities of the Island as to misappropriation of articles belonging to the Government by any person employed on the works there; and, if so, in what position does the matter now stand?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: I am informed that in April last the Constabulary on duty at Haulbowline reported that some blocks of timber had been removed from the extension works to the residence of one of the officials on the Island for firewood. It appears that under an old order officials were allowed to receive a certain quantity of waste timber for that purpose, and these removals of wood were made under that regulation. The practice having been brought under the notice of the Admiral, he has ordered its discontinuance.

WAR OFFICE—PURCHASE OF STORES.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether the Regulations as to the purchase of War Office stores from manufacturers, instead of middle-men, apply only to arms and articles of steel and iron, or whether they apply equally to woollen goods and articles of clothing; and, whether for many years past the bulk of the Army contract for jerseys, comforters, &c., has been given to a firm of London merchants who do not manufacture, but themselves purchase from the manufacturers in the Provinces?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle):

I will lay upon the Table a copy of the Circular issued to contractors in 1881, limiting transactions with agents. My hon. Friend will see that it is of general application. This rule was made for the good of the public; but when it is clearly for the public good that it should be deviated from, the War Department would not hesitate to deal with an agent trading avowedly as such. With reference to the particular manufacture of hosiery, it is a little difficult to draw the line between manufacturer and agent. Some of the largest dealers do not themselves manufacture, but claim to control the manufacture of the articles in private looms in the villages of Leicestershire. This is the case with the firm referred to, who claim to have the control of numerous frames, and who always tender in strict accordance with the rules of the Circular. The question of employing them has been fully considered, and it has been determined that to do so is for the benefit of the public. During the last five years this firm has supplied rather more than half the jerseys contracted for, and 1,300 comforters.

POST OFFICE—TRANSMISSION THROUGH THE SEVERN TUNNEL.

MR. L. FRY (Bristol, N.) asked the Postmaster General, What progress has been made in the arrangements for carrying the day mails between Bristol and South Wales by way of the Severn Tunnel, through which fast trains will very shortly be running?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): It has been decided to forward the day mails between Bristol and South Wales by way of the Severn Tunnel, and the arrangement will, I trust, be in operation very shortly.

MALTA—ARREST AND IMPRISONMENT OF DR. S. GRECH.

MR. HENNIKER HEATON (Canterbury) asked the Secretary of State for the Colonies, Whether the case of the alleged illegal arrest and imprisonment in Malta of Dr. S. Grech has been brought under his notice; and, what action does he intend to take in the matter?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): The case of Dr. Grech has been brought under my notice. The Crown Advocate of Malta is of opinion that his arrest and imprisonment were not illegal; but I have come to the conclusion that Dr. Grech has been treated harshly and unjustly, and I have expressed strong disapproval of the proceedings taken against him.

THE CURRENCY—THE NEW COINAGE.

MR. ISAACS (Newington, Walworth) asked Mr. Chancellor of the Exchequer, Whether, having regard to the general dissatisfaction on the part of the public as to the new coinage, he will call in the recent issue and cause new designs to be obtained which will afford a more faithful portrait of Her Majesty the Queen, in which the crown shall be worn in the traditional manner, and the value of each coin indicated thereon?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Notwithstanding the statements as to the general dissatisfaction of the public with the new coinage, there is an immense demand for it, and I must frankly say that I feel more bound to satisfy that demand than to call in the coin already issued. The Mint has been unable to supply the demands made daily upon it, though it has been working at extraordinary pressure. The gold £5 pieces are so much in demand that I learn, to my great regret, that a premium is paid upon some of them. I wish to call special attention to the fact that this is quite unnecessary, as the Mint will continue to supply all that is wanted as fast as possible, and if everyone will have a little patience he will be able to supply himself with specimens. With regard to the sixpences and half-sovereigns, I have already stated that I am in consultation with the Bank authorities and the Mint on the subject, being anxious to meet the difficulties which have been raised. I am not prepared to recommend that the value of each coin should be indicated thereon. Even in the existing currency the value has only been indicated on some of the coins, and I remember no complaints as to its not being on the remainder. But the bankers and the public will retain the matter a good deal in their own hands. There is a very large stock of the old silver coin still in hand; and if the Mint authorities find that there is a lasting and gene-

ral objection to the new coinage, of course the question what coins should in future be struck will be open to further consideration. The head-dress and the crown, and the mode of wearing it, adopted on the new coins will, I am informed, be found on all the more recent authorized effigies of Her Majesty, and not on the new coins alone. It would be highly improper either to issue a coin or to change a coin on which there is a portrait of Her Majesty, without taking Her Majesty's pleasure, both on the portrait and the costume; and, as I have already stated, I cannot authorize any change without first taking Her Majesty's pleasure upon it.

WALES — THE TITHE AGITATION — THE DISTURBANCES AT MOCHDRE.

MR. KENYON (Denbigh, &c.) asked the Secretary of State for the Home Department, Whether the Commissioner to be appointed to inquire into the disturbances at Mochdre will be empowered also to inquire into the alleged existence and action of a combination called the Anti-Tithe League, and to examine the officers of that Association as to their connection with these disturbances?

The following Questions relating to the subject were also on the Paper:—

MR. SWETENHAM (Carnarvon, &c.), To ask the Secretary of State for the Home Department, Whether, on further consideration, he can see his way to enable the Commissioners appointed to inquire into the Mochdre riots to take evidence on oath; and, whether the inquiry will extend to the action of the Anti-Tithe League at Mochdre, Llangwm, and other places where tithe riots have recently taken place, and the assistance of the Denbighshire, Flintshire, or Merionethshire police has been called in?

MR. STANLEY LEIGHTON (Shropshire, Oswestry), To ask the Secretary of State for the Home Department, Whether he is aware that the riot at Mochdre was only one of a series of similar riots, organised under the same leaders, who move from place to place with the object of resisting the police; and, whether the scope of the inquiry will be such that evidence may be produced to show the circumstances in which the agitation originated, the manner in which it has been conducted, and the persons by whom it has been countenanced?

MR. T. E. ELLIS (Merionethshire), To ask the Secretary of State for the Home Department, Whether he will appoint as Commissioner to inquire into the tithe disturbances at Mochdre a gentleman conversant with the Welsh language?

MR. BRYN ROBERTS (Carnarvonshire, Eifion), To ask the Secretary of State for the Home Department, Whether he will direct an official shorthand Report to be made of the proceedings at the inquiry into the tithe disturbances at Mochdre, so that it may be laid upon the Table of the House?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Commissioner will be empowered to inquire into the origin, as well as into the extent and character, of the disturbances in Wales. An Act of Parliament would be necessary to enable him to take evidence on oath. The Government are considering whether the inquiry should extend to other places and counties as well as to Mochdre. Gentlemen conversant with the Welsh language are not easily found in the number of those fitted to conduct such an inquiry, and I cannot undertake that the Commissioner shall possess that accomplishment. I will consider the propriety of having a shorthand report of the proceedings. The Report of the Commissioner will be laid on the Table of the House. As to the Question of the right hon. and learned Gentleman opposite (Mr. Osborne Morgan), I will take care that the inquiry has not so wide a range as to render it useless and dilatory.

MR. BOWEN ROWLANDS (Cardiganshire) inquired, whether the Government had made any effort to ascertain whether there was any competent gentleman who had a knowledge of the Welsh language who could be appointed Commissioner in this matter?

MR. T. E. ELLIS asked, whether the Report of the Evidence would be laid on the Table of the House as well as the Report of the Commissioner?

MR. MATTHEWS: The latter Question is one I can hardly answer at the present stage of the proceedings. The Report of the Evidence may be so voluminous that it may be inconvenient to lay it on the Table; but there will be no desire to withhold any information the

House desires to have. With regard to the Question of the hon. and learned Gentleman (Mr. Bowen Rowlands), I have made inquiries, and I find that a knowledge of Welsh by the Commissioner is, in my judgment, the least important of the qualifications he should have.

MR. T. E. ELLIS asked, whether, in view of the fact that the Riot Act was translated into Welsh the other day, and the fact that the majority of the witnesses would be Welsh-speaking, it would not conduce to the despatch and the fairness of the inquiry that the Commissioner should know the language of the majority of the witnesses?

MR. MATTHEWS said, he was unable to adopt the view suggested in the hon. Member's Question. Whether the witnesses spoke Welsh or English, their evidence would have to be translated into English by the interpreter. It did not seem to him material that the gentleman who made the inquiry should himself understand the Welsh language. He would be obliged to rely upon the services of an interpreter.

FISHERY BOARD (SCOTLAND)—BEAM TRAWLING IN THE BAY OF ABERDEEN.

MR. HUNTER (Aberdeen, N.) asked the Lord Advocate, Whether it is the intention of the Fishery Board of Scotland to revoke the bye-law which prohibits beam trawling in the Bay of Aberdeen; whether this bye-law has been in operation only during the winter and not during the summer; whether ny steps have been taken to ascertai n the experience of the line fishermen as to the effect of prohibiting beam trawling; and, whether the Scotch Department will delay action until the fishermen have had an opportunity of stating their views to the Secretary for Scotland?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's U.. ..ties): The Fishery Board have thought it expedient to revoke the bye-law in question. The bye-law has been in operation since the 5th of April, 1886. The Fishery Board have spared, and are sparing, no pains to ascertain the effect of the prohibition of beam trawling upon the supply of fish; and the experience of the line fisherman has necessarily been taken into account. The Secretary for Scotland has already, after minute inquiry, confirmed the revocation of the bye-law.

BUSINESS OF THE HOUSE—SUPPLY.

MR. CHILDERS (Edinburgh, S.) asked Mr. Chancellor of the Exchequer, What arrangements Her Majesty's Government contemplate as to further Votes in Supply; and, whether it is the case that another Vote on Account will be asked for; and, if so, when?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The Votes on Account which have been taken for the Civil Service will last until about the 15th of July. The Army and Navy have money for a somewhat later date, towards the end of July. It will be impossible for the Government to state what arrangements will be made until we have made further progress. But Supply will be taken immediately after the present stage of the Criminal Law Amendment (Ireland Bill) has been passed.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — THE FORTHCOMING REVIEW AT ALDERSHOT.

VISCOUNT EBRINGTON (Devon, Tavistock) asked the Secretary of State for War, Whether he can now inform the House what arrangements have been made for enabling Members to witness the Aldershot Review?

MR. BADEN-POWELL (Liverpool, Kirkdale) also had the following Question on the Paper:—To ask the Secretary of State for War, Whether he can now state what arrangement will be made for the accommodation of Members of the House of Commons at the forthcoming Review at Aldershot in honour of Her Majesty's Jubilee?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Four hundred tickets have been sent to Mr. Speaker for the stand at Aldershot for the use of Members who desire to be present at the Review. I understand, Sir, that it is your wish that Members who desire tickets should place their names before July 5 on a list opened by Mr. Speaker's Secretary.

PUBLIC OFFICES—THE NEW ADMIRALTY AND WAR OFFICE — THE SITES.

MR. DE LISLE (Leicestershire, Mid) asked the first Commissioner of Works, Whether the suggestions made in paragraph 5 of the Report from the Select Committee on the Admiralty and War Office Sites, in which it is stated that portions of the Spring Gardens site, estimated in value at £266,000, will be preserved—

"After providing for the suggested additions to the Admiralty and for the opening of the Mall into Charing Cross,"

are to be understood in the sense of opening the Mall straight into Charing Cross, so as to run without any appreciable angle into the Strand; and, whether allowance is made for an opening of 60, 80, or 100 feet; and, if not at least 100 feet, whether Her Majesty's Government will take steps to secure sufficient space to allow such improvement to be carried out at some future date in a manner befitting the dignity and beauty of Trafalgar Square as well as of the convenience of vehicular traffic?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): In the scheme presented by the Committee on the Admiralty and War Office sites, and referred to in the Question of my hon. Friend, by which it is estimated that portions of the Spring Gardens site to the value of £266,000 will be preserved, provision is made for continuing the Mall in a straight line into Charing Cross with an opening of about 75 feet in width. Such a line obviously must be at a certain angle with the Strand, because the Strand and the Mall do not form one straight line. I cannot give any pledge as to what steps the Government may or may not take in future for securing additional space.

WAR OFFICE—(ORDNANCE DEPARTMENT) — SUPPLY OF DEFECTIVE WEAPONS.

MR. HANBURY (Preston) asked the Secretary of State for War, What changes have taken place in the supply of swords in the hands of British troops, at home and abroad, since the year 1885, at which time, according to the evidence given by the Director of Army Contracts before the Royal Commission on Warlike Stores—

"We found ourselves in the position of having no trustworthy swords at all," "for" (in the words of the Report) "the new ones were bad and the old ones had been spoilt;"

and, who are the officers who have, during the last 10 years, held the position of Director of Artillery and Stores, and at what dates did they enter upon and resign the office?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I am rather surprised that my hon. Friend should put a Question in these terms, because he is well aware that the patterns of swords mentioned in it are altogether superseded. The whole of the Cavalry of the Line at home, in Egypt, and at the Cape, has been rearmed with swords of a pattern introduced in 1885, on the recommendation of a Committee presided over by Major General Sir D. C. Drury-Lowe. The Directors of Artillery and Stores during the last 10 years have been Lieutenant General Sir F. Campbell, K.C.B., from August, 1875, to January, 1883; Brigadier General Reilly, C.B., from February, 1883, to December, 1884; and Major General Alderson, from January, 1885, who is still in office.

MERCHANT SHIPPING ACT, 1854—SEIZURE OF A YACHT'S FLAG.

DR. TANNER (Cork Co., Mid) asked the First Lord of the Admiralty, What was the shape, colour, and design of the flag recently seized and confiscated on board a yacht in Bantry Bay by an officer from H.M.S. *Shannon*; whether the flag was seized under section 105, "Merchant Shipping Act, 1854," as mentioned in the letter from the captain of the *Shannon;* whether it was flying at the peak or mast-head; and, whether the flag comes under the heading "any distinctive national colours," line 2, section 105, "Merchant Shipping Act, 1854?"

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The flag in question was green with a harp upon it without a crown. The captain based his action upon Section 105 of the Merchant Shipping Act of 1854, by which any person on board a British ship hoisting without warrant a distinctive national colour other than the red ensign is liable to have the colour so hoisted confiscated, and also to a fine of £500. The flag is not technically

"a distinctive national colour" for so long as Ireland is an integral part of the United Kingdom the Union Jack is the only distinctive national colour known. I have therefore, pointed out to the captain of the *Shannon* that he was technically in error, and he will return the flag to the owner.

MR. O'KELLY (Roscommon, N.): Is the noble Lord aware that on the Royal Standard the harp has no crown?

MR. SEXTON (Belfast, W.): I wish to ask the noble Lord, if the flag in question was not a distinctive national colour, how it fell within the section of the Merchant Shipping Act at all? And, secondly, I would ask him why the Naval Authorities are not consistent in this matter; why they allowed yachts to sail with the green flag and the crownless harp for 20 years, and then suddenly made a swoop upon them?

LORD GEORGE HAMILTON: I do not know that the yacht in question has sailed for 20 years with the flag the hon. Member mentions. I stated before that the officer of Her Majesty's ship *Shannon* based his action upon Section 105 of the Merchant Shipping Act, he believing that this flag technically came under the head of a distinctive national colour. I have pointed out the reason why it does not.

MR. SEXTON: Then the decision of the noble Lord is that the captain was wrong?

DR. TANNER: Will an apology be made?

[No reply.]

PUBLIC HEALTH—WATER SUPPLY OF SWANSEA.

MR. KENYON (Denbigh, &c.) asked the President of the Local Government Board, Whether he is aware that the water supply of the town of Swansea has been for some days extremely deficient; whether the present supply is, as reported by a correspondent, a mass of tadpoles and frogs; who are the authorities responsible for the supply; and, whether he can exercise any jurisdiction in the matter?

MR. YEO (Glamorgan, Gower) asked the right hon. Gentleman, If he was aware that the municipal authorities at Swansea were using every possible exertion at the present moment in order to augment their water supply; and, also, whether the borough analyst did constantly and quite recently—within the last few days—report most favourably as to the purity of the water now supplied in that town?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, he had no information with reference to the points raised by the hon. Gentleman (Mr. Yeo). He had no reason to believe what he said was not true; but he had no information on the subject. The only information which he had in the matter was that contained in the paragraph which appeared in the papers. The authority responsible for the water supply was the Town Council of Swansea, which was the Urban Sanitary Authority. The Local Government Board had no jurisdiction whatever in the matter; but he had thought it right to communicate with the Town Council of Swansea on the subject.

EGYPT — THE NEGOTIATIONS — THE ANGLO-TURKISH CONVENTION.

DR. CAMERON (Glasgow, College) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a statement, contained in *The Daily News* of the 27th instant, to the effect that a Note to the following effect had been addressed by the French Government to the Sultan:—

"The French Government has decided definitely not to accept the situation which would arise from the ratification of the Egyptian Convention. If the Convention should be ratified, the French Government will devote its attention to safeguard its interests endangered by the disturbance of the equilibrium in the Mediterranean, and, with this object, will take what measures may appear necessary. On the other hand, that is to say, if your Imperial Majesty should not ratify the Convention, the French Ambassador is authorised by his Government to give to your Imperial Majesty a categorical and formal assurance that the French Government will guarantee your Imperial Majesty against all consequences, whatever they may be, resulting from the non-ratification;"

and, whether there is any truth in the statement?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Very many statements have appeared of what is supposed to have taken place in connection with the Turkish Convention, and I believe more than one version of this statement. Her Majesty's Government are not in possession of the contents of the alleged

Note. No such Note has been communicated to Her Majesty's Government, nor has any communication upon this subject been made to them by the French Government.

EGYPT—THE ANGLO-TURKISH CONVENTION—THE CONVENTION OF CYPRUS.

DR. CAMERON (Glasgow, College) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the statement in *The Morning Post* of the 27th instant, to the effect that—

"The Porte has inquired of the British Government, whether, in the event of the ratification of the Egyptian Convention, Turkey can rely upon the effective fulfilment by Great Britain of the provisions of the Convention of Cyprus;"

and, whether there is any foundation for that statement?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I must decline to give information of what has passed between Her Majesty's Government and the Porte until the negotiations are concluded, and full explanations can be afforded.

EGYPT—THE ANGLO-TURKISH CONVENTION.

MR. CONYBEARE (Cornwall, Camborne) asked the Under Secretary of State for Foreign Affairs, Whether the statements published in the daily papers of the 27th instant, respecting the grave International complications threatened by the ratification of the Egyptian Convention, are founded on facts; and, whether the Government will undertake that an arrangement which may possibly entangle this country in war with Russia and France shall, before its ratification, be brought under the consideration of the House of Commons?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The statements in the many daily papers of rumours in Constantinople and elsewhere are various, and cannot all be accurate. Probably none of them are precisely so. There is no ground for the assumption of the hon. Member that the Turkish Convention may entangle this country in war with any Powers. It will be laid before Parliament, when ratified, in accordance with Constitutional usage.

MR. CONYBEARE observed, that he had not asked whether the statements were accurate, but whether they were founded on fact? What he wanted specially to know was, whether the House of Commons would have an opportunity of learning the contents of the Convention and discussing the matter before the ratification?

SIR JAMES FERGUSSON: I have nothing to add to what I have said. It is well known that what the hon. Member asks for is never done.

LAW AND JUSTICE (ENGLAND AND WALES)—DISCONTINUANCE OF THE CIVIL ASSIZES IN CERTAIN COUNTIES.

MR. DUGDALE (Warwickshire, Nuneaton) asked the Secretary of State for the Home Department, Whether a scheme has been laid before the Lord Chancellor by a majority of the Judges, under which 32 out of the 52 counties in England and Wales will be wholly deprived of Civil Assizes; whether it is in contemplation to embody that or a similar scheme in an Order in Council; and, whether any steps have been taken to ascertain the wishes of the county and borough authorities of those 32 counties on the subject; and, if not, whether the Government will undertake to do so before any Order in Council is made depriving the inhabitants of those counties of their ancient rights to have their actions heard and determined within the county?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No such scheme as is suggested in the Question of my hon. and learned Friend has been brought to my notice. If any changes in the Civil Assizes are proposed by Order in Council, that Order in Council will be laid upon the Table of the House, in accordance with the statutory provisions on the subject. The Government cannot undertake to alter the procedure prescribed by the Judicature Act with regard to Orders in Council regulating Circuit changes.

SIR WALTER B. BARTTELOT (Sussex, N.W.) subsequently asked, whether the House was to understand that the First Lord of the Treasury desired to depart from the answer given by him yesterday, when he undertook that the House would have ample opportunity for discussing the Rule in the in-

terval between its appearance upon the Table and the date of its operation?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, that he would communicate with the Lord Chancellor on the subject. The hon. and gallant Member was wrong in supposing that he had entered into any engagement for the discussion of a Rule which, by Act of Parliament, properly constituted authorities were empowered to debate. He could promise, however, that there would be no rash adoption of any such Rule as that referred to; and probably the Rule would not take effect during the course of the present summer.

BRITISH GUIANA.

MR. WATT (Glasgow, Camlachie) asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that continued inaction with regard to questions which residents in British Guiana consider of vital importance has created a widespread feeling of dissatisfaction throughout the Colony; whether the attention of Her Majesty's Government has been drawn to a meeting held this month at Georgetown, and to the speeches made thereat; and, whether he is now prepared to state if Her Majesty's Government contemplate taking decisive action at an early date to vindicate the claims of British subjects?

THE SECRETARY OF STATE FOR THE COLONIES (Sir HENRY HOLLAND) (Hampstead) (who replied) said: As regards the two first Questions, I understand that considerable dissatisfaction is felt in the Colony on account of the boundary question with Venezuela remaining unsettled; and my attention has been called to newspaper reports of meetings of certain Gold Companies in Georgetown to which I presume the Question refers, on which occasion speeches were made expressing such dissatisfaction. As regards the third Question, I may refer the hon. Member to the answer given to the hon. Member for Wandsworth (Mr. Kimber) yesterday by the Under Secretary of State for Foreign Affairs; and I would add that the Government are alive to the desirability of obtaining a settlement of the territorial question at issue between this country and Venezuela.

ISLANDS OF THE SOUTHERN PACIFIC —PERSECUTIONS IN TONGA.

MR. W. H. JAMES (Gateshead) asked the Secretary of State for the Colonies, If Sir Charles Mitchell's Reports on the persecutions in Tonga have been received at the Colonial Office?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): The Report only arrived two days ago, and will be considered as soon as possible, and I will communicate with the hon. Member later on.

CIVIL SERVICE—CLERKS IN THE PRISONS DEPARTMENT.

MR. NORRIS (Tower Hamlets, Limehouse) asked the Secretary of State for the Home Department, Upon what principle appointments to the various clerkships have been made, and whether promotion and pay are regulated by interest, examination, or seniority; if he will explain how it is that a clerk serving in the Prisons Department of the Home Office, appointed more than 17 years ago, and now in the prime of life, who has served assiduously and well, to the satisfaction of his superiors, remains at a salary of £100 per annum, on which he was first appointed in 1869; and, if he will consent to a Return of how many clerks have been pensioned off since 1874, their ages, and for what reasons, also the amount of their respective pensions and previous pay?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Appointments to clerkships in the Prisons Department of the Home Office are made by transfer of prison clerks; and in transferring, seniority and fitness are duly considered. The gentleman referred to is the remaining one of 100 clerks originally appointed to the Habitual Criminals Registry Department, with the express condition that they should have no increase of salary and no pension. I do not think it necessary to state what has been the value or character of his services. The Return of civil servants' pensions appears in the annual Estimates, with the reasons for granting the superannuation.

CRIME AND OUTRAGE (IRELAND)—THE RIOTS IN CORK.

MR. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant

of Ireland, Whether he has been informed that, at a meeting of magistrates of the City of Cork, held yesterday on the requisition of the Mayor, it was resolved unanimously to request the Government to order a sworn inquiry into riots which occurred in Cork on Tuesday last, their cause, their result, and the police arrangements existing on the occasion; and whether, in the event of such inquiry taking place, the Mayor of Cork will be a member of the Court of Inquiry?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: I am aware that such a meeting has been held. The Government have at present no information which leads them to think that adequate reason exists for an inquiry into the recent riots at Cork.

MR. HOOPER: Is the right hon. and gallant Gentleman aware that this meeting was attended by 20 magistrates of all shades of political opinion, and that the Resolution was proposed and seconded by non-Nationalists and unanimously carried; and after this statement does he still consider that the matter ought not to be inquired into?

COLONEL KING-HARMAN: This Question was only put down last night, and appeared on the Paper this morning. That is the only information I have been able to get.

MR. HOOPER: I will repeat the Question on Monday.

MR. SEXTON (Belfast, W.): I wish to ask the right hon. and gallant Gentleman whether the Government approve of the conduct of Captain Plunkett, a magistrate paid with the public money for his services, in absenting himself from this meeting of magistrates, which he was summoned to attend?

MR. HOOPER: Does the right hon. and gallant Gentleman know that even while the meeting was sitting messages were sent to Captain Plunkett, and he refused to attend?

[No reply.]

POOR LAW (IRELAND)—THE EDENDERRY UNION—MR. M. GAFFNEY.

MR. TUITE (Westmeath, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the superannuation allowance proposed to be granted by the Guardians of the Edenderry Union to Mr. Matthew Gaffney, of Hardwood, in the County of Westmeath, in consideration of his services as poor rate collector, has been disallowed by the Local Government Board; and, whether, having regard to the fact that Mr. Gaffney discharged the duties of the office for a period of 39 years to the entire satisfaction of the Guardians, and that his resignation was due to failing health, as proved by the medical certificates in the possession of the Guardians, the Local Government Board will re-consider their decision, and sanction the allowance to which he is lawfully entitled under the Union Officers Superannuation Act?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: Collector Gaffney did not discharge his duties to the entire satisfaction of the Guardians, nor was his resignation due to failing health. He was obliged to resign, under threat of dismissal for neglect and inefficiency; and the Local Government Board, therefore, declined to sanction a pension being granted in his case.

AUSTRO-HUNGARIAN EMIGRANTS TO ENGLAND.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Under Secretary of State for Foreign Affairs, Whether he will inquire what is the precise nature of the notice which the Austro-Hungarian Government has issued to intending emigrants to England, and communicate the information to the House?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): In the telegram, of which I yesterday informed the House, denying that such a notification had been made by the Austro-Hungarian Government, as the hon. Member supposed, Her Majesty's Ambassador added that he had written on the subject; and no doubt his despatch will afford the information which the hon. Member desires, and which shall be at once communicated to him.

ISLANDS OF THE SOUTHERN PACIFIC—THE NEW HEBRIDES.

MR. F. S. STEVENSON (Suffolk, Eye) asked the Under Secretary of State for Foreign Affairs, When Papers will

be presented relating to the New Hebrides; and, whether in a separate form or as an Appendix to the proceedings of the Colonial Conference?

THE UNDER SECRETARY OF State (Sir JAMES FERGUSSON) (Manchester, N.E.): Papers will be presented as soon as the negotiations are concluded, which I hope they will be before long. The proceedings of the Colonial Conference on this question were of a confidential character, and will not be presented.

THE ROYAL TITLES—TITLE OF "EMPRESS."

MR. HOWELL (Bethnal Green, N.E.) asked the First Lord of the Treasury, Whether his attention has been called to the preamble of the—

"Declaration between the British and Belgian Governments for Amending Article I. of the Extradition Treaty of 20th May, 1876, signed at London 21st April, 1887,"

and to the preamble to the—

"Convention for the Exchange of Post Office Money Orders between the Island of Malta and France, signed at Paris 16th September, 1885, and ratified at Paris on 10th January, 1887,"

both of which Papers have only been recently issued to Members of this House, in both of which Her Majesty is described as Empress of India; and, whether such use of Her Majesty's Indian Title in European Conventions and Declarations is in accordance with the public pledges, given in this House when the title was conferred, that such title should only be used in documents having reference to India, and not in those having reference solely to the United Kingdom?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Queen's Proclamation of the 28th of April, 1876, sets out the conditions on which the Imperial title was to be used, and excludes the use of it from any document whose operation extended only to the United Kingdom. As, however, both of the documents referred to by the hon. Member do extend in their operation beyond the United Kingdom, the use of the title appears to be correct according to usage.

MR. HOWELL: How is it that the title has not been used in similar documents until the beginning of this year?

MR. W. H. SMITH: I think the hon. Gentleman answers himself, because he says the title has not been used until the beginning of this year; but he points out that the title was used in a Paper signed in Paris on the 16th of September, 1885, and in a Paper which bore date the 20th of May, 1876.

MR. HOWELL: I beg to call attention to the fact that both of these documents were only ratified at London in the beginning of this year.

THE COLONIAL CONFERENCE—THE MINUTES.

MR. CHILDERS (Edinburgh, S.) asked the Secretary of State for the Colonies, Whether the Papers relating to the New Hebrides would not be included in the Minutes of the Colonial Conference, and when those Minutes would be printed?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead), in reply, said, he had taken a great deal of pains in order to expedite the publication of the Minutes. They filled two volumes, and much revision had been necessary as well as constant consultation with the Heads of Departments. He thought he could say that the two volumes were now in a fair state of preparation.

WAR OFFICE—SPEECH OF LORD RANDOLPH CHURCHILL AT WOLVERHAMPTON—OFFICIAL STATEMENT.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether it was his intention to lay on the Table any official statement in reply to the Wolverhampton speech of the noble Lord the Member for South Paddington (Lord Randolph Churchill); or whether he intended in any special way to deal with the allegations contained in that speech?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): My hon. Friend has not given me Notice of the Question. After the intimation which the Speaker gave the other day with regard to the usual practice of the House, I should not think it respectful to him to lay a Memorandum of that description on the Table. The House must see that I am placed in a position of considerable difficulty; and I must take my own opportunity of stating the course I propose to pursue.

IRISH LAND LAW BILL.

MR. SEXTON (Belfast, W.): I wish to ask the First Lord of the Treasury, with regard to his statement yesterday that the Irish Land Law Bill was expected from the House of Lords on an early day next week, What stage of the Irish Land Law Bill the Government intended to take before they asked the House to read the Criminal Law Amendment (Ireland) Bill a third time?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I must ask for a little time to consider the Question of the hon. Gentleman. Much depends upon the progress of Public Business. I will endeavour to give a reply early next week.

MR. SEXTON: Would the right hon. Gentleman have any objection to say that the second reading of the Irish Land Law Bill will be taken before the third reading of the Criminal Law Amendment (Ireland) Bill?

MR. W. H. SMITH: The House will remember that I have not given a pledge to take any stage of the Irish Land Law Bill before the third reading of the Criminal Law Amendment (Ireland) Bill. I gave a pledge to the House that the House should be in possession of the Irish Land Law Bill before the Criminal Law Amendment (Ireland) Bill was read a third time. I have taken steps to redeem that pledge. Whether it would be possible to take a stage of the Irish Land Law Bill before the third reading of the Criminal Law Amendment (Ireland) Bill is at the present moment uncertain.

ORDERS OF THE DAY.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 290.]

(*Mr. Arthur Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

CONSIDERATION. [ADJOURNED DEBATE.]

[SECOND NIGHT.]

Proceeding on Consideration, as amended, *resumed.*

MR. MAURICE HEALY (Cork), in moving the insertion of the following clause, after Clause 4—

"On the trial of any person by a judge and jury for any criminal offence under the provisions of section three or section four of this Act, such person shall be entitled on the first calling of the jury panel to require a juror to stand by until the panel is gone through in like manner and to the same extent as the Attorney General or other persons conducting the prosecution on behalf of the Crown is so entitled."

said, it was true that the law on the point of ordering jurors to stand aside was the same in England as in Ireland, but the practice was quite different in each country. In England what was done was that counsel for the prisoner and counsel for the Crown submitted to each other a list of jurors who should not be asked to go into the jury box, and so by a mutual consent practically an equal number of jurors objectionable to the prisoner and to the Crown were excluded from the jury. But in Ireland, owing to the unlimited right to order jurors to stand by which was exercised by the Crown, the Crown had the composition entirely in its own hands. The object of his clause was to put the prisoner and the Crown on the same footing during the empannelling of a jury.

Clause (Accused person entitled to require juror to stand by,)—(*Mr. Maurice Healy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) said, that the theory of their Criminal Law had been that this right should be given to the Crown on the ground that it was independent, and would act in accordance with the dictates of justice. What was now proposed by the Amendment amounted to this—that the prisoner's right of peremptory challenge should remain, and that he should otherwise be put on a footing of perfect equality with the Crown. If the prisoner was allowed the same right of challenge as the Crown all the panel would be gone through and a jury not obtained, so that some of the men ordered to stand aside would have to be retained when the panel was gone through a second time, with the result that no verdict would be obtained. It was impossible for the Government to accept an Amendment which in effect indicated that they would not act in a spirit of perfect fairness and justice in the administration of

this Act of Parliament. The Act would be administered by those who represented the Crown in exactly the same spirit as the Criminal Law was administered throughout the Kingdom. The Irish Members always regarded the Crown with suspicion; but he was sure they would agree that in Ireland it was difficult to get a fair and unbiased jury, and without the action on the part of the Crown to order jurors to stand aside it would be impossible to carry out the law. For these reasons the Government could not accept an Amendment which he could not believe had been proposed with any serious purpose.

MR. DILLON (Mayo, E.) said, the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Gibson) seemed to be extremely anxious for the good character of the Crown prosecutors in Ireland, but it would be far better if he showed that anxiety not by speeches but by a course of conduct adopted in carrying out the Criminal Law in Ireland. The argument of the right hon. Gentleman, that the Government would not accept any Amendments which reflected on their good intentions, was preposterous. What was the basis of all agitations for alterations in the Constitution but a distrust in the actions of the Executive Government. It was the height of absurdity for the hon. and learned Solicitor General for Ireland to talk at this time of day in high flowing language of the purity of the hands of the Government in jury packing. There was not a man, woman, or child in Ireland who did not know that jury packing had been the right arm of the Government in Ireland for the past century. Even *The Daily Express*, the accepted organ of the Party to which the hon. and learned Gentleman belonged, had declared recently that since the beginning of English rule in Ireland trial by jury had been a make-believe and a pretence in the country, and that some other dodge should now be adopted. Seeing that the Executive were to have large additional powers against the prisoner, he failed to see why the Government should not concede a small modicum of additional right to the prisoner as against the Crown. He protested against the system of persistent insult against the Catholic jurors of Ireland which had been adopted by some of the banditti of the Castle in imputing to them sympathy with crime. The hon. and learned Solicitor General stated—for that was what his argument amounted to—that there were 75 jurors who in the case of the Phœnix Park murders would not have given a verdict according to the evidence. He (Mr. Dillon) utterly denied such a statement. Would the hon. and learned Gentleman point out one of the Phœnix Park murderers against whom there was evidence who was not convicted? The Crown prosecutors, it was true, stood 75 men by, thereby deliberately placing on those men the stigma that they smpathized with the murderers, but what right had these lawyers to say that those 75 jurors would not give a fair verdict? Was there a single failure of justice in these cases? Every man against whom there was evidence was convicted, and yet the hon. and learned Solicitor General came down to the House and said because a Crown lawyer chose to insult the Catholic citizens of Dublin he was entitled to say they smpathized with the murders in the Park, and refused to give a verdict according to the evidence. Such a statement as that, if made outside, would be treated as a scandalous libel, for which the hon. and learned Gentleman would be made to suffer the consequences. That was a system of deliberate insult against the Catholic jurors of Ireland deliberately adopted by some of the banditti of the Castle in the shape of lawyers. It was the instrument and means by which one of the most infamous lawyers who ever lived in Ireland had climbed into office and power. This hon. and learned Gentleman, by insulting his Catholic fellow-countrymen, had recommended himself to an alien and infamous Government, and it was no wonder they found lawyers in Dublin who pretented to think it their duty and who feel it to be their pleasure and privilege to take advantage of their position, which saved them from the consequences of their acts, to insult their Catholic fellow-countrymen. He denied that the hon. and learned Solicitor-General had the smallest right to say the Catholic jurors in Dublin sympathized with the Phœnix Park murderers, and refused to give a verdict in accordance with their oath and with the evidence. It was the conduct of the Crown lawyers which produced the deplorable and disastrous change which

came over public opinion. If the Phœnix Park murderers had got a fair trial there would not have been shown the demonstrations which afterwards took place, and if certain officials in Dublin were subjected to public contempt and unpopularity on account of the part they took in the trials it was not because they had brought the murderers to justice, but because deep down in the heart of every man there was a feeling against seeing men done to death, even though they were murderers, by foul and dishonourable means, and the feeling which arose in Ireland after the trials was owing to the methods which were employed by the Crown officials, and the feeling that such dishonourable acts ought not to be employed against any creature in human shape. These were the deeds which brought the law into contempt in Ireland, and instead of learning wisdom from the past, the Government were going to plunge on the same road again, and go on packing juries more than ever. What was the machinery under which a fair and impartial jury was to be brought against the prisoner? A Return had been issued a short time ago showing the number of special jurors in Ireland. In the County of Dublin the number of qualified Parliamentary electors was 23,662, and the number of special jurors 960. It should be remembered that men were to be brought from every part of Ireland to be tried before a body of men selected from this number, and yet the hon. and learned Solicitor General for Ireland told the House that the jury was to be an impartial one. Those 960 special jurors had been selected with the view of excluding every man of the class who sympathized with Nationalist views. The Government had manipulated the rating of the County of Dublin so that they might have a jury list more than half of which were men the bitter opponents in politics of the Nationalists, and because the Irish Members asked that when a man was brought before an already packed panel he should have a decent chance of challenging his enemies who were thirsting for his blood, they were told that their desire was to interfere with the course of the administration of justice in Ireland. The refusal of the Government to accept this moderate Amendment plainly showed their intentions. Their intention was to have a perfect system of jury packing, so that jury trial for the future in Ireland would be a fraud and a sham. Personally, he would sooner go before the three Judges than a tribunal selected in this manner. The Government intended to have a set of men who would take their directions from the Crown, and who would arrive at a verdict before listening to the evidence. To any man who should be brought before such a select tribunal, his advice was to tell the jurors that they were perjurers, and not to waste his time or money on the trial.

Mr. MAC NEILL (Donegal, S.) said, he supported the clause, because he thoroughly believed the Government of Ireland would not act fairly in political cases between man and man, and he was fortified in that opinion by cases in his own experience and by the evidence of history. The right of ordering jurors to stand by was never exercised in England, but in Ireland it was the favourite device of the Crown for securing convictions. Trial by jury as at present constituted in Ireland was a fraud, a mockery, a delusion, and a snare. Those were the words used by Lord Chief Justice Denman in reference to the trial of O'Connell.

Mr. CLANCY (Dublin Co., N.) said, the statement that the power complained of existed in England as well as in Ireland was most misleading, because the implication was that it was sometimes exercised in England as well as in Ireland in the interest of the prosecution; whereas, he believed it was the fact that if it was ever exercised in England at all it was exercised in favour of the prisoner and not against him. One fact of considerable weight in support of the Amendment was that under the present system in Ireland, while men of the highest character and respectability, fit to sit on any jury, were ordered in every case to stand aside, it was, at the same time, the practice of the Crown to put the same men on several successive juries in cases in which the question at issue was substantially the same ——

Mr. SPEAKER: I must point out to the hon. Member that jury-packing is not the subject of the Amendment before the House.

Mr. CLANCY went on to point out that at the last Winter Assizes in Cork and in Sligo 13 jurors served three times and two jurors twice. They wanted to

give power to a prisoner to prevent the Crown from putting on successive juries the same men who had already served upon a jury and had come to a particular conclusion on what was substantially the same case.

MR. SPEAKER: That is not the subject of the Amendment.

MR. CLANCY said, in his opinion if the Crown was to possess this exceptional power of stand by, and if the prisoner was to be left without it, they would run the risk, and deservedly run the risk, of further widening that want of sympathy with the administration of the law which already existed in Ireland.

MR. M. J. KENNY (Tyrone, Mid) said, all they wanted simply was that the prisoner and the Crown should start on equal terms, and should possess the same right of challenge on first going over the panel, and that on going over the panel a second time, the Crown or the prisoner should be compelled to show cause for each challenge. He contended that this Amendment would bring the law of England and Ireland as to the right of the prisoner to challenge practically on all fours. Were Englishmen prepared to allow a continued challenge to the Crown while the accused was only allowed to challenge a very small number? Unless the Amendment were accepted, the right of trial by jury in Ireland had better at once be abolished. He, for his part, would infinitely prefer to be tried before any three Judges on the Irish Bench than before a jury—packed as it would be by the officials of the Crown—of his avowed enemies.

Question put.

The House *divided:*—Ayes 130; Noes 208: Majority 78.—(Div. List, No. 265.)

MR. MAURICE HEALY (Cork), in moving the following clause—

"On the trial had pursuant to any of the provisions of this Act, of any accused person by a judge and jury, the accused shall not, unless with the consent of the prisoner, be tried by a jury exclusively composed of persons of a different religious belief,"

said, it had often been said by Crown lawyers that in ordering jurors to stand aside they were not actuated at all by religious prejudices, but actions of this kind could only be judged by the result, and when it invariably happened that all the jurors ordered to stand aside by the Crown were Roman Catholics who could blame the Irish people for supposing it was because of their religion they were considered by the Crown as unfit to act as jurors? If Roman Catholics were unfit to discharge the important duties which the Constitution cast upon them, let the Government declare it openly and provide for it in some express terms in the Act. The action of Crown lawyers practically repealed the Act of Catholic Emancipation, which was supposed to have placed Catholics on the same footing as Protestants as regards civil rights.

Clause (No juror to be ordered to stand by because of his religious belief,)—(*Mr. Maurice Healy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he could not believe that the hon. Member was serious in moving the clause, and he could not but express his regret that the time of the House should be taken up in discussing Amendments wholly absurd and impracticable. The Crown had never challenged a juror merely on the ground of his religious belief, and a citizen was never asked by the Government what his religion was. Did the hon. Member propose that a Judge should examine every member of a large panel, containing perhaps as many as 200 gentlemen, as to the nice differences between their creeds? At present the law did not require any citizen in any circumstances to state the nature of his religion. If the clause was adopted how did the hon. Member suppose it could be worked? Suppose, for instance, one of these secret organizations brought over a Mormon as a member, how could a jury of Mormons be obtained to try him? Or take even the case of a Unitarian; he believed it would be impossible in many counties in Ireland to get a dozen men of that religion. He could hardly think that so eccentric a proposal could have been made with a serious intent, and unless it were withdrawn he hoped the House would reject summarily an Amendment which would subject jurymen to a religious inquisition.

[*Second Night.*]

MR. FLYNN (Cork, N.) said, that those who knew about the working of the jury laws in Ireland viewed this clause as a serious and important one. The Chief Secretary had met it by imagining a state of things which could not possibly exist. This clause meant Roman Catholics and Protestants, and nothing else. The right hon. Gentleman, in his flippant remarks, was merely begging the question. He well knew that the men who were excluded from the jury-box in Ireland were Roman Catholics, and that the clause aimed at meeting that state of things. Nothing was more disgraceful in the history of Ireland than the system of jury-packing which had existed there and still prevailed.

MR. CLANCY (Dublin Co., N.) said, the speech of the right hon. Gentleman the Chief Secretary for Ireland was the most absurd he had ever heard made in the House. The assertion of the right hon. Gentleman that it was not the practice of the Crown to inquire into the religion of any citizen was an insult to the intelligence of the House. Every policeman in Ireland, every soldier, and every sailor had to state of what religion he was. The Lord Chancellor in England and the Lord Lieutenant in Ireland were bound to be Protestant, and if the Queen were not a member of the Church of England the hon. Member for South Belfast (Mr. Johnston) would head an armed insurrection. If the religion of the jurors had not been taken into account, it was very strange how Catholics had been systematically Boycotted. It could not have happened by accident. On six juries at the last Sligo Winter Assizes, 60 were Protestants and 12 Catholics; that was five Protestant jurors to one Catholic, although the population of the county was nine Catholics to one Protestant. Law and order, owing to the practice of the Crown, had become mere bye words in Ireland; but still the Tories and Liberal Unionists seemed anxious to perpetuate the practices of the past.

Question put, and *negatived.*

MR. MAURICE HEALY (Cork), in moving the insertion of a clause—

"On the trial of any accused person had pursuant to any of the provisions of this Act by a judge and jury, if such person shall not speak the English language, at least half the jury shall be composed of persons able to speak the language of the prisoner,"

said, his object was to provide that in cases where there had been a change of venue the prisoner should be brought to a district where his language was understood and spoken.

Clause (Constitution of the jury where prisoner does not speak English,)—(*Mr. Maurice Healy,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that it was no novelty to the Criminal Law of England, as the Courts not unfrequently had to deal with a prisoner who could not speak English, and no inconvenience arose. His experience in England was—and he believed those acquainted with the administration of the law in Ireland would say the same—that in such cases the Judges were particularly careful to see that justice was done, and that no inconvenience or disadvantage was sustained by a prisoner in consequence of his not being able to understand the language. On the ground of general principle the Government could not consent to a provision to the effect that half the jury should be composed of persons knowing the language of the prisoner. To do so, besides, would make the trial of such persons in Dublin quite impossible, where the jurors all spoke English. It was an innovation in the law which he could not recognize, and the necessity or expediency of which could not be shown—namely, that Her Majesty's Judges sworn to administer justice, would act otherwise than fairly by a prisoner in the circumstances described.

MR. CLANCY (Dublin Co., N.) said, that the clause would meet a real grievance, and it should be adopted. If the Government refused to accept the Amendment, it would be because they were desirous that all these trials should be held in the County Dublin. In times past prisoners had been convicted and hanged in Ireland who did not understand a single word of the language in which the proceedings were conducted.

MR. LABOUCHERE (Northampton) said, the hon. and learned Attorney General (Sir Richard Webster) objected

to this Amendment because it was an innovation. But by his references to the practice in England when trying foreigners and in Wales when trying a Welsh speaking prisoner the hon. and learned Gentleman showed that it was not an innovation at all. No doubt the Judge would do his best to obtain substantial justice, so far as he could, to any Irishman put on trial before him; but something more than this was wanting. They desired to persuade the prisoner that he was receiving substantial justice. Considering that this was a most drastic Coercion Bill, and that there would be a feeling in Ireland that justice was not being obtained by prisoners, the Government ought to stretch a point, and make a third, a fourth, or any proportion of the jury composed of men who understood the Irish language.

Question put, and *negatived.*

MR. CHANCE (Kilkenny, S.), in moving to insert the following new clause:—

"Upon any trial held under the provisions of sections three or four of this Act, a copy of the panel, from which the jury to try the case is to be drawn, shall be served upon the accused, or his solicitor, at least twenty days before the day of trial, and the solicitor and counsel for the accused shall be entitled to examine and copy, at all reasonable hours, all documents and books in the possession of the sheriff of the county in which such trial is to take place relating to the jurors, jurors' lists, and panels of jurors of that county,"

said, that in order to show the necessity of such a clause as the one he proposed, it was required to investigate the proceedings in connection with several recent trials in Ireland. Whether Sheriffs acted fairly or unfairly, a great many people in Ireland thought they acted corruptly and wrongly; and when they appointed sub-sheriffs, such as the sub-sheriff of the County of Dublin, who had been scheduled in a Report to that House for bribery and corruption, to act in political trials, it was no wonder the people should have some suspicion in regard to them. He considered, as a matter of justice, that the Government ought to accept the clause.

Clause (Right of accused person to receive copy of jury panel and inspect jury books,)—(*Mr. Chance,*)—*brought up,* and read a first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he was unwilling to make any alteration in the existing law with regard to the empannelling of juries. If such abuse as jury packing existed to the extent alleged, there was abundant power to deal with it under the law as it stood. This was not a proper way to deal with the matter; it should be dealt with by a rule, and not by a clause in a Bill. It was a matter of procedure, and it might depend to a great extent upon the place to which, or the time at which, a trial was to be removed. He declined to believe the assertion that jurors had been "got at" by the Crown, or that they had declared their intention to convict before they went into Court. If these things did go on at all, they ought to be dealt with under the general law relating to juries and not in a Bill of this character.

MR. MAURICE HEALY (Cork) said, that some such provision as this was an an absolute necessity in Ireland, having regard to the past experience of the working of the jury system there. There was nothing unreasonable in this proposal, and he was amazed at the Government attempting to defend the present system. There would be a special necessity under this Bill to give a defendant a copy of the jury panel some days in advance. If 20 were too many, let the Government say 10, or any number that was sufficient for the purpose.

DR. TANNER (Cork Co., Mid) said, he merely rose for the purpose of continuing the debate, because the Government had shown a determined disposition to reject every Amendment, no matter what arguments might be produced in its support. He congratulated the Government upon the stern and undeviating course they were following in rejecting every proposal made by the Irish Members. He sincerely hoped that the line they had adopted would not lead them into such an abyss of infamy and degradation as he was afraid it ought to do. He could give 20 instances in which the special jurors in Cork had openly avowed their bias against accused persons, and stating, before they heard the evidence, that they intended to convict. He had seen the jury lists circulated in clubs before they were given to the public, for the purpose of finding out who and what

was the character of the men who were going to serve on the jury. Why should they not afford the same assistance to the prisoner's counsel as they afforded to the counsel for the Crown? "Down with the prisoner and up with the Crown" was the cry of the Government.

MR. W. REDMOND (Fermanagh, N.) said, that nothing could be more tyrannical, cowardly, and cruelly insulting than the way the Government met the Amendments proposed by the Irish Members. It was enough to make them disgusted with the place. If the Members of the Government were tyrants, they might still be smiling tyrants, and not solemnly sit there all in a row, great functionaries of the British Empire, staring at the Irish Members who were appealing to them, without paying the slightest attention to what they said. The right hon. Gentleman the Chancellor of the Exchequer——

MR. SPEAKER: Order, order! The hon. Gentleman must address himself to the clause.

MR. W. REDMOND said, he contended that the Amendment was a reasonable one. The First Lord of the Treasury sat with both legs crossed at the Table, and took not the slightest notice of what was said by the Irish Members. It was absolutely infamous that they could not get a reply from the Government to anything they said in that House. The object of the Government was not only to pass a Coercion Bill, but to pass it in the most offensive way possible, and to drive the Nationalist Party from the Constitutional position which they now occupied in that House and in the country. The action of the First Lord of the Treasury reminded him of——

MR. SPEAKER: Order, order! The hon. Member's remarks are very personal, and have nothing to do with the clause. For the second time, I must warn the hon. Member.

MR. W. REDMOND: The whole object of my remarks, Sir, was for the purpose of showing——

MR. SPEAKER called the attention of the House to the continued irrelevance on the part of Mr. William Redmond, Member for North Fermanagh, and directed the hon. Member to discontinue his speech.

Dr. Tanner

MR. CLANCY (Dublin Co., N.) said, he thought the case of Woodford and the malpractices which occurred at the last prosecution in Dublin afforded an irresistible reason for this Amendment, which he considered as only fair and reasonable. To his mind, its mere rejection by the Government without any reason assigned would answer the purpose of the Irish Members.

MR. M'CARTAN (Down, S.) said, that he would ask hon. Members to bear in mind the protest of the Protestant jurors in the Sligo case; and he would like to know whether the object of the Government was to continue to maintain the system against which those men protested, and to perpetuate discord between the different classes and creeds in Ireland. The great difficulty the Irish Members had to contend with was, that they were arguing with people who knew nothing about Ireland. The clause would only insert in the Bill a safeguard against the conviction of an innocent accused; and if the Government did not accept it, some Member of the Government ought at least to get up and give their reason.

Question put.

The House *divided*:—Ayes 81; Noes 107: Majority 26.—(Div. List, No. 266.)

MR. MAURICE HEALY (Cork), in moving to insert the following clause:—

"On the trial of any person or persons by a judge and jury for any criminal offence under the provisions of section three or section four of this act, the judge shall, if so required by or on behalf of such person or persons, reserve any question of law arising on such trial for the decision of the Court for Crown Cases Reserved in Ireland,"

said, in trials of this kind, when questions of law arose, they were only discussed by the counsel and decided by the Judge in a very perfunctory manner, and the decision which the Judge gave under those circumstances would not be one which would be received with any degree of respect or be quoted as a precedent. Under these circumstances, he trusted the Government would accept the Amendment.

Clause (Judge on trial to reserve questions of Law for Court for Crown Cases Reserved, if required,)—*Mr. Maurice Healy*,)—*brought up*, read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, he must oppose the Amendment as impracticable, and one which would interfere with the due and proper and speedy administration of justice. It was also alien to the law of the country. As the law now stood, the Judge who presided in the Court had the responsibility of listening to and deciding points of law, and in so doing he was discharging his duty in the face of the public and of the Profession to which he belonged, and under the correction and opinion of that Profession. Decisions at Nisi Prius were not, as had been said by the hon. Member, in any case looked upon by lawyers with disrespect; but, in a criminal case, the Judge would naturally exercise even greater care in his decision, on account of the grave consequences which might follow it. If the Judge should think that a point raised by the defence was really one requiring argument, he could reserve it for consideration by the Court for Crown Cases Reserved. But to compel him to refer to that Court every matter, whether serious or frivolous, which might be raised in the guise of a point of law would be to render the whole administration of the law ridiculous. The Government could not accept the Amendment.

DR. COMMINS (Roscommon, S.), in supporting the Amendment, said, he felt that the arguments of the hon. and learned Solicitor General were absurd. In England, at the present time, a defendant could require a magistrate to state a case as of right, whether the magistrate liked it or not, and he (Dr. Commins) did not see why the same provision should not be made to apply to Judges, so that a person charged with a serious offence might have the same privilege. Judges in Ireland had not one-sixth of the work that English Judges had to do, and there would be no difficulty or inconvenience in forming a Court of Crown Cases Reserved. In this country, in spite of all the Justices' justice of which they heard, the number of cases that came up to be dealt with by such a Court was very small, and the same would be the case in Ireland. No one would take the trouble and expense of going to Dublin to have a weak point argued. He thought, therefore, that there was no force in the arguments raised by the Solicitor General. The hon. and learned Gentleman said the Judges gave their decision in the face of public opinion; but, in Ireland, the Judges had no respect for public opinion, but rather seemed to delight in every opportunity they had of outraging it.

MR. W. BOWEN ROWLANDS (Cardiganshire) said, that while admitting that the question of reserving points of law for the consideration of the Court of Crown Cases Reserved was decided by the Judges without temper and with a desire to do what was best in the interests of justice, he joined in urging upon the Government the reasonableness of this clause. He did so because he welcomed it as the first dawn of legislation which he hoped before long would be enacted in this country—namely, to make criminal appeal more general, if not universal. He certainly could not see that there was anything in the adoption of this clause which would make the administration of justice absurd, or cast any blot upon it. He thought that the hon. and learned Solicitor General had unintentionally laid too much stress upon the necessity for the speedy administration of justice. For his own part, while in no way wishing for delay, he desired, above all things, that justice should be done. With regard to the contention that this clause was at variance with, and alien to, the general tone of criminal legislation in this country, did not the Bill itself contain provisions which were alien to the practice of the Criminal Law of this country? There had undoubtedly been cases where the decisions of learned Judges upon points taken before them at criminal trials had not given such satisfaction to the public as to make them fully accept those decisions. On the ground, therefore, that this was an opening in the direction of general criminal appeal, and also for special reasons connected with this Bill itself, he intended to vote for the clause.

MR. MAC NEILL (Donegal, S.) said, that in their view the scope and object of the Bill was to direct all its terrible machinery, not against criminal combinations, but against all combinations in Ireland. It would be very advisable to

have what would amount to the right of appeal, if this clause were adopted, so far as Sections 3 and 4 were concerned. They should remember that the Government would have not only the power of changing the venue under this Act, but the right, practically, of selecting the Judge and the reservation of questions of law, for the Court for Crown Cases Reserved would be entirely at the discretion of the Judges. The Irish Judges, unlike the English Judges, were selected for political considerations, and no matter how just or honourable they might be, they would find it impossible for them to divest themselves of their political leanings on the Bench, especially when they were asked to adjudicate by a Government under which they might be under very great personal obligations. Under these circumstances, it was unsafe to leave in their hands the fate of a political prisoner, without such a safeguard as the proposed clause provided. Prior to 1828, when Lord Brougham made his famous speech on Law Reform, English Judges were selected precisely in the manner in which Irish Judges were selected now; and Lord Brougham, speaking of their action in political trials, said that he and his friends in consultation were able to tell to an iota, not possibly the reasons on which the judgment of a Judge would be given, but what the judgment would be in any political case. Having regard to these considerations, and the fact that this was a Bill "for ever and ever," designed, as they conceived, to cast Irish Nationalist Members into the ditch as politicians, and to ruin a certain political organization, he submitted that a like safeguard should be given to a prisoner under this Bill which would be given to the meanest offender in connection with a bill of exchange.

MR. C. S. KENNY (York, W.R., Barnsley) contended that there was no provision at present existing, either in the Common Law, or in the Act of 1848, giving the Court of Assize the power of reserving a question of law, arising after venue has been changed, to the decision of the higher Court. Unless this clause, or some other similar clause, were inserted in the Bill, prisoners who would be tried under this section would be in a worse position than a man who was tried for petty larceny in the ordinary course.

MR. PICKERSGILL (Bethnal Green, S.W.) said, the hon. and learned Gentleman the Solicitor General seemed to consider that the large discretion vested in the Judge, at present, as to reserving or not questions of law arising at the trial was satisfactory. In support of his contention that this arrangement was not satisfactory, he (Mr. Pickersgill) would quote four great lawyers—Lord Blackburn, Mr. Justice Lush, Lord Justice Barry, and Sir James Stephen. These lawyers constituted the Criminal Code Commissioners in 1879; and they considered that the absolute discretion of the Judge as to reserving or not questions which arose at the trial ought to be modified. Two remedies were suggested by them. In the first place, they proposed that if a Judge declined to reserve a question of law raised by counsel, he should be compelled to take a note of the matter; and, secondly, that the prisoner should be given the power to apply to a Court of Appeal for leave to appeal, the consent of the Attorney General being previously obtained. He desired, therefore, to force this subject on the attention of the Government, and to ask them to give in some shape or another a power of appeal, either with this condition or without it, and thus to curb the large discretion now vested in a single Judge.

MR. EDWARD HARRINGTON (Kerry, W.), in supporting the Amendment, said, he wished to bear testimony to the cogency of the arguments advanced in support of it, and, in that view, would point out as a curious spectacle that the Attorney General and the Solicitor General for Ireland would be Judges in a few weeks to exercise the discretion of reserving points of law under the Act. The mode in which Judges were manufactured in Ireland was scandalous; for instance, the latest candidate for the Bench (Mr. Sergeant Peter O'Brien) was as unfit a scoundrel for the position as could be found in Europe.

MR. SPEAKER warned the hon. Member that he was wandering from the subject of the clause before the House.

MR. EDWARD HARRINGTON, continuing, said, that looking as they did upon the Judicial Bench in Ireland as the culmination of a series of corrupt political services, they could not divest their minds of the fact that these Judges

might have in them a remnant of the old political feeling which had brought them into the position in which they found themselves.

Question put.

The House *divided:*—Ayes 84; Noes 114: Majority 30.—(Div. List, No. 267.)

MR. MAURICE HEALY (Cork), in moving to insert the following Clause:—

"A writ of error in any criminal cause or matter tried under the provisions of section three or section four of this Act may issue on the certificate of counsel, notwithstanding that the Attorney General's fiat for same has not been obtained,"

said, that if it were decided that in a civil action a defendant could not appeal without the consent of the plaintiff, such an arrangement could be considered suitable only to the region of the burlesque stage; yet the case in criminal matters was even stronger.

Clause (Writ of error to issue without Attorney General's *fiat,*)—(*Mr. Maurice Healy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I listened with close attention to the remarks of the hon. Gentleman; but I am sure the House will agree with me, if hon. Members followed all that he said, that he did not adduce one single argument in favour of his suggested alteration of the law being introduced into the present Bill. I have not the slightest objection to Amendments being proposed by hon. Members below the Gangway opposite, and I am quite ready to discuss all their arguments; but I do respectfully protest against the time of the House being taken up by debating Amendments which have no real connection with the Bill. Speaking of this particular Amendment, I may say that the hon. Member who moved it has himself said that there is no particular reason why it should be submitted in regard to the present measure. He told the House that he availed himself of the opportunity of bringing it forward, because we are now proposing a change in the Criminal Law of Ireland. But if that is a fair argument, it might be applied to 50 or 100 other Amendments which might be proposed for the alteration of the whole of the Criminal Law. For more than 200 years it has been the practice that Writs of Error should only be issued under the *fiat* of the Attorney General. I can quite understand the contention that those who hold Office in England or Ireland may be actuated by political motives, or may not discharge their duties according to their consciences when they have to deal with matters of this kind; but all I can say is this—I have not filled my present Office very long, but I have seen a variety of cases where this duty has been exercised by the Attorney General for England and the Attorney General for Ireland in years gone by, and I can say that no Attorney General, to my knowledge, has ever declined to issue his *fiat* for a Writ of Error on political grounds. That fact, coupled with the other fact that the hon. Member has not supported his case by pointing out any defect in the provisions of the Bill, prevents the Government from accepting the Amendment. If the hon. Member could have shown that any provision of the Bill necessitates a change in the practice requiring the authority of the Attorney General for the issue of a Writ of Error, I should have been prepared to meet him; but I decline to discuss the matter as he has put it. A mere suggestion that the Attorney General has been, or may be, actuated by political motives in granting his *fiat* is no argument. I repudiate the suggestion altogether; and I say, in conclusion, that this is neither the time nor the place for dealing with such an Amendment as that proposed by the hon. Gentleman. I certainly see no reason why the usual practice which has prevailed for so many years should be departed from at the present moment.

DR. COMMINS (Roscommon, S.): The hon. and learned Gentleman omitted to tell the House that, so far as the practice in England is concerned, the issue of the *fiat* of the Attorney General for a Writ of Error is never refused.

SIR RICHARD WEBSTER: The hon. Gentleman is quite wrong.

DR. COMMINS: No doubt, the experience of the learned Attorney General is greater than my own; but I have certainly heard of cases in which the *fiat* of the Attorney General has been applied for, and I never yet heard of one in which it was refused. Let me

ask why, of all the officers connected with the Executive, the Attorney General is the one, *par excellence*, who, like Cæsar's wife, must not only be beyond reproach, but above suspicion? The position of the Attorney General in England and in Ireland is so different that I expected the hon. and learned Gentleman would have addressed himself to that point. In Ireland the Attorney General occupies the position of actual prosecutor, and in that capacity he may shut out a defendant or a convicted prisoner from a Writ of Error. He rules the course of procedure, directs a change of venue, if he thinks fit, makes provision for the empannelling of a special jury, and has entire control over the matter. Such a state of circumstances cannot possibly occur in England, because the Attorney General does not take that personal part in prosecutions in England which he takes in Ireland. There is another matter which, I think, deserves the notice of the hon. and learned Gentleman opposite. Here, in England, and in Ireland too, the issue of a Writ of Error is to be regulated by the mere certificate of counsel. If counsel goes over the record, and is able to point out an error in it, his certificate that there is an error and that it is a proper case for the grant of a Writ of Error is quite sufficient, and an appeal to the House of Lords, where the costs might amount to thousands upon thousands of pounds, is permitted. If a defendant happens to be a pauper lunatic he has that power given to him. There is another class of cases also which is equally important, and in which a certificate of counsel is held to be sufficient, although it is equally capable of inflicting great inconvenience, if not absolute injustice, upon the other side. I refer to the right of litigation *in formâ pauperis*, which right depends upon the certificate of counsel. If counsel gives a certificate that a particular person has good cause of action, no matter what it may be about, he can bring his action, and can put the defendant to a great amount of expense, worry, and anxiety. Now, the fact that proceedings are allowed to be taken in these two instances affords, I think, a sufficient guarantee that there is no abuse of the right of bringing an action. I believe that the right of obtaining a Writ of Error will also be safeguarded in a manner quite sufficient to prevent abuse. Before the issue of a Writ of Error it must be shown that there is an error on the record; the proceedings must have gone wrong in some way. It is not a revision of the judgment of the Court that would be asked for, but there must have been some error in the procedure itself. We have heard a great deal about the packing of juries in Ireland. At all events, many suspicious things have been done, and perhaps that is the secret reason why this alteration is opposed. It is probably felt that it might drag to light some proceedings in connection with the empannelling of juries which are not altogether creditable. Under all the circumstances, I think the Amendment is a very proper one, and that it is quite germane to the Bill—especially when we have regard to the fact that this Bill is undoubtedly a Bill for a political object, and a measure that will be used for political purposes—a Bill in regard to which all the chicanery of the Sheriff's office will probably be put in operation in order to regulate the nature of the proceedings before the Court.

MR. MAC NEILL (Donegal, S.): The hon. and learned Attorney General cannot possibly identify his Office with the similar Office in Ireland, except that they are both called by the same name. No two posts in Her Majesty's Dominions could be more distinct. The Attorney General for Ireland occupies a position somewhat resembling that of a Political Resident in some semi-Sovereign State in Europe rather than that of the high legal functionary who holds that position in England. We are of opinion that the *fiat* of the Attorney General should never be refused whenever a Writ of Error is necessary. The *fiat* of the Attorney General can only be required in cases where an error is apparent on the face of the record itself. Whether there has been an error will, of course, have to be decided ultimately by the Bench of Judges. The Attorney General, in giving his *fiat*, acts in a semi-judicial capacity. At any rate, he ought so to act, and if he acts in a semi-judicial capacity there can be no harm in calling upon him to give his *fiat* or to withhold it in an ordinary case. But where a political question is dealt with, the circumstances are very different. The Attorney General is himself a stimulating agent in political cases,

He is the person primarily responsible for launching the proceedings, and he has a tremendous temptation to prevent their failure by the refusal of his *fiat*. The Attorney General says that the law is the same in England as in Ireland; but in England, as far as I am aware, a Writ of Error has never been refused in an arguable case. But how do matters stand in Ireland? I think the hon. and learned Attorney General has fallen into a slight error in not showing that the clause now proposed to be read a second time ought to be read in close conjunction with Clauses 3 and 4. Clause 3 gives to the Attorney General the power of empannelling a special jury, and Clause 4 regulates the place of trial. These clauses must be read together, and if hon. Members will glance their eyes down Clauses 3 and 4 they will see why the *fiat* of the Attorney General should not be final—namely, because he, or his agent acting on his behalf, is the stimulating party to these prosecutions. It is quite clear that the Attorney General or anyone representing him can go before the High Court of Justice—which is the Queen's Bench—and practically order and command a mandate from the High Court to change the venue and likewise empannel a special jury. The Court itself has no discretion in the matter, and I can call to mind nothing analogous to this power in the entire course of the jurisprudence of Ireland; because, be it remembered, the gentleman who is to take these exceptional measures must, in the first instance, have formed a strong opinion upon the merits of the case, and yet if an error should appear, or be supposed to appear, on the face of the record he has the tremendous temptation given to him of burking, stopping, and completely abrogating an appeal, and by that means he is able to secure that the verdict, however it may have been arrived at, shall be irreversible. I maintain that if there has been any error in the procedure the Court alone ought to settle it. Why should the person who is most deeply interested be able to stop the further elucidation of his own case? Sir Fitzjames Stephen tells us that in England a Writ of Error has never been refused in an arguable case; but in Ireland I have known many instances in which it has been refused in arguable cases, when the man who was refused it was a party to the case himself. I remember one case distinctly arguable in which the *fiat* of the Attorney General was refused. In that case, after the refusal of a Writ of Error, I waited upon Mr. Butt—the greatest lawyer of his time. I think it was in 1878, and I asked him whether the refusal was legal? Mr. Butt told me that he himself, in a case in which he was personally concerned, had applied for a Writ of Error, having formed a strong opinion that the *fiat* of the Attorney General, for which he asked, ought not to be withheld. It was withheld, however, and he went from the Attorney General to the Lord Chancellor. The Lord Chancellor did not dispute his Constitutional power to revise the decision of the Attorney General; but he declined to do anything that would neutralize the Attorney General's decision. I think this one instance will show that there may be very severe heart-burnings produced by the way in which the Attorney General exercises this power. Of course, it is quite possible, when any case is taken before the Court, that the Writ of Error cannot be sustained; but still a counsel has full justification, especially in a matter of life and death, for doing everything in his power on behalf of the unfortunate person accused. In all these cases I think that what I must call the scandal of having an Attorney General at one and the same time the litigant, the judge, and the stimulator of action in his own case should be avoided, more especially when it is considered that the Attorney General is the political agent of the Government.

Question put.

The House *divided*:—Ayes 82; Noes 121: Majority 39.—(Div. List, No. 268.)

MR. MAURICE HEALY (Cork): I have now to move, after Clause 9, to insert the following clause:—

"On the trial of any accused person had pursuant to the provisions of this Act by a judge and jury, the prosecutor shall have no right to address the jury in reply where the accused person has tendered no evidence."

The hon. and learned Gentleman the English Attorney General has complained because hon. Gentlemen sitting on these Benches have not restricted their Amendments to particular points

included in the present Bill. Now, I think that that is hardly an intelligible principle to lay down for the opposition to any measure. No doubt it would be highly convenient to Her Majesty's Ministers if hon. Members who condescend to oppose the measures of the Government would limit themselves to the particular points to which the Government desire to confine them; but I doubt whether, if that principle were adopted, any very effective line of opposition could be taken. What I maintain is that, when a Government introduce a Bill, they must take all the responsibility which attaches to its introduction; and one of their responsibilities is that it must inevitably give rise to a number of discussions, more or less germane to the provisions of the Bill, which may or may not be convenient to the Government, but which, nevertheless, it is their duty to meet. So it is with regard to the Amendments we have been moving. They are all of them Amendments touching the Criminal Law; and, although they may not touch any absolute provision within the four corners of the Bill, at any rate they relate to questions of the highest importance which we should have no other opportunity of bringing under the attention of the House. The clause which I now move is a clause intended to assimilate the law in criminal trials to that which exists in civil trials. In civil trials, if the defendant produces no evidence, the prosecutor has no right of reply. That is a reasonable state of affairs, and I do not see why the same course should not be adopted in criminal trials, which are of far more importance in their results to individuals than any civil trial can be. There is not the slightest reason why the Crown in a criminal prosecution should have any advantage over a plaintiff in a civil action. As far as I am acquainted with the law on the subject, I believe it is the same in England as in Ireland, and that in both cases the Crown has a right of reply, although the prisoner may not call evidence. It is the right of the Crown to address the jury upon the evidence by way of summing up. That right, I believe, was established in Ireland in the trial of Robert Emmett, when the prosecutor's counsel, who afterwards become Lord Plunket, insisted upon his right. Consequently, the present state of the law is of long standing; but that fact, I respectfully submit, affords an additional reason for a revision of the law, and for remedying a mischief which has gone on for so long a time. Having regard to the persistent manner in which the Government have met all our Amendments, I cannot hope that I shall be successful in inducing them to accept this; but, at any rate, I cannot admit that the mere fact of the Government having made up their minds to refuse all our Amendments furnishes any reason for inducing hon. Members on these Benches to refrain from pressing reasonable and proper Amendments on the attention of the House.

Clause (Right of prosecutor to address jury,)—(*Mr. Maurice Healy,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): I hope the hon. Gentleman will withdraw not only this, but the next Amendment, which provides that the Judge is not to charge the jury upon the evidence. The Government cannot admit the cogency of the case which has been presented by the hon. Member for this clause, and I am satisfied that it will not commend itself to the assent of the House generally. The suggestion is that the Attorney General should not, in any case, exercise his right of reply. The Attorney General, at present, has a right of reply by himself or by the counsel who represents him, although the prisoner may not call evidence. No doubt there are many unimportant cases in which the prosecuting counsel does not think it necessary to exercise a right of reply; but in cases of considerable importance, where the jury might be misled, in the event of the speech of the prisoner's counsel remaining unanswered, the Attorney General has always exercised his right if he deems it desirable, and in the interests of the administration of criminal justice I do not think that any proposal to get rid of that right ought to receive the sanction of the House. I do not think it necessary to waste further time in discussing the Amendment, and I hope that the House will dispose of it at once either by rejecting

it, or by the hon. Member withdrawing it.

DR. COMMINS (Roscommon, S.): The Attorney General for Ireland has always exercised the right of reply, or rather he has always claimed the right, and has very frequently exercised it. It has also been held that any other counsel prosecuting under the direct instructions of the Attorney General can also exercise the Attorney General's right. This clause, however, applies to ordinary prosecutions, as well as to those which are undertaken by the Attorney General. The hon. and learned Gentleman the Solicitor General for Ireland assumes that in every prosecution under this measure the Attorney General will prosecute. I should be very sorry to think that he will do so. On the contrary, I hope that the Executive will distribute the patronage of the Castle a little more liberally than by confining all prosecutions to the Attorney General or the Solicitor General. I take it that this clause, if accepted by the House, will not touch the case of prosecutions by the Attorney General, but only the case of an ordinary prosecution carried on under the provisions of the Bill. The clause itself says—

"On the trial of any accused person had pursuant to the provisions of this Act by a judge and jury, the prosecutor shall have no right to address the jury in reply where the accused person has tendered no evidence."

That would not, I take it, include the Attorney General where he prosecutes, but would leave him the same right he has always had, although it is an invidious right, and altogether strained. In England I believe the right of reply is never exercised, except where the accused calls witnesses. Under the Criminal Law Amendment Act it is taken away altogether, and except in the case of the Attorney General himself the prosecuting counsel has no right to reply at all. He has the right of summing up the evidence; but the right of reply is a right which is never exercised, except in a case where the prisoner or the accused person calls evidence. I remember a severe rebuke being administered by the late Mr. Justice Mellor to a counsel who did sum up the evidence in an undefended case. That learned Judge said that it was a most improper proceeding, and one which was altogether inconsistent with the spirit in which the Criminal Law should be administered. He added that an undefended prisoner who called no witnesses was almost sacred, and he expressed a hope that he would never see such a thing done again. But in Ireland the prosecuting counsel, in every case, sums up the evidence, whether the prisoner is defended or not, and the right of reply is exercised whether the prosecutor is the Attorney General or not. I support the Amendment, because I think it would do something, however little, to restore the confidence of the people of Ireland in the administration of the law, and that confidence, at the present moment, has been very severely shaken.

MR. CHANCE (Kilkenny, S.): The Solicitor General for Ireland, in speaking against the Amendment, pointed out that the right of reply has been found to be necessary for the purpose of securing law and order, and to prevent the jury from being misled owing to a speech of the prisoner's counsel remaining unanswered. Nevertheless, I must point out a private prosecutor does not enjoy that right; but it is only exercised by the Crown, although the Crown is placed at a great advantage as compared with a private prosecutor, seeing the enormous forces it has at its command, and the bribes it is able to offer to members of the Bar to induce them to conduct its business. Not only can the Crown offer a Judgeship to gentlemen practising at the Bar, but there are other appointments to offices of profit which they can offer to relatives and friends. Nor is this a mere question of theory; it is a matter of ordinary everyday occurrence in Ireland. With all these "resources of civiliaztion" at their command, with the power of catching witnesses and bringing them to the depôt outside Dublin, where they are trained to give evidence—with all these privileges conferred upon them, they find themselves in such a weak and delicate position that they are obliged to claim in every trial the right of a reply, although the prisoner has none, and although, in my opinion, considering the present position of law and order in Ireland, the prisoner ought certainly to have the last word. I cannot conceive why the Government should provide that the last word should be had by the prosecuting counsel. Is it the opinion of the Government that there would be no

sufficient safeguard for law and order without affording the opportunity for a great forensic display on the part of the Attorney or Solicitor General? Perhaps, however, the real reason which induces the Government to adhere to this privilege is that, as a matter of delicacy, they desire to save the Judges from the necessity of launching into violent and passionate political tirades when it becomes their duty to charge the jury. I remember taking an English visitor into one of the Irish Courts, presided over at the time by Mr. Justice O'Brien, who, in the course of the proceedings, delivered one of those political harangues for which he is famous. My friend, who had listened with eyes and mouth wide open, drew a long breath when he reached the outside of the Court, and exclaimed—"Why, this man is a political partizan." I confess that, having been trained in the ways of criminal prosecutions in Ireland, I was unable to feel the same surprise. In Ireland we find that the Crown cannot rely upon the preservation of law and order, unless they are able to inflame the minds of such juries as those we have seen in the counties of Down and Antrim by embittered and underhand attacks such as those we have long been accustomed to hear from Gentlemen who have occupied the position of Attorney and Solicitor General in Ireland.

Mr. O'HEA (Donegal, W.): I regret that, instead of meeting the Amendment in the manner which we on these Benches expected, we have simply heard from the Government, through the mouth of the hon. and learned Gentleman the Solicitor General, the stale and hackneyed phrase, *non possumus*, although no arguments to show why that is so have been forthcoming. It has always been recognized, during my experience, which has extended over nearly 13 years of practice in the Profession to which I belong, that where no evidence has been tendered or produced on behalf of a prisoner there is no right of reply. There was formerly a Member of this House who was a distinguished ornament of the Legal Profession of Ireland in his time, and one of the oldest advocates in that country. I refer to the late Mr. M'Carthy Downing. On one occasion, in a criminal prosecution, where Mr. Downing defended the prisoner, relying upon the weakness of the case for the prosecution, he tendered no evidence, and yet the right of reply was claimed by the prosecuting counsel. Mr. Downing argued that there was no such right; that not having called a witness, and not having given evidence, but the information having formed the basis of the trial, no reply lay in the mouth of the prosecutor. The Judge held with Mr. Downing, and the matter, on being referred to a higher tribunal, was decided in his favour. The decision was that in that particular instance the principle was sound; that no reply could be had; and that, in fact, no reply was admissible where no evidence had been given. The Amendment, as it appears on the Paper, says—

> "On the trial of any accused person had pursuant to the provisions of this Act by a Judge and jury, the prosecutor shall have no right to address the jury in reply where the accused person has tendered no evidence."

Now, we know very well how these provisions are adopted in Ireland. The hon. and learned Gentleman the Solicitor General for Ireland said that the right of reply is one of those rights which are inherent in the Attorney General. But the Attorney General does not prosecute in every case. It may happen that in a prosecution under this very measure the person who will represent the Attorney General may be some Crown Prosecutor at a Court of Quarter Sessions, or a junior barrister at some Assize Court. As is very well known, there are many of these gentlemen who are anxious to win their spurs, and to show what their forsneic eloquence is; and, having the mantle of the Attorney General thrown over them, they will consider it their bounden duty to make long speeches to the jury, in order to show what manner of men they are, so that they may establish their claim to consideration when positions of emolument become vacant hereafter. These gentlemen will be tempted to pose as the Solicitor Generals and Attorney Generals *in futuro*. What I contend is that gentlemen occupying that position, and acting as nothing more than Crown Prosecutors, have no right to arrogate to themselves such rights and privileges which, undoubtedly, their ability, character, and standing would not justify them in demanding. In a case where no evidence has been given or read, and where no information is put in, and where the advocate of the

accused merely relies on the weakness of the Crown case, nothing could be more fair or reasonable than to exclude the Crown from the right of making a reply to the case put forward on the part of the prisoner. Evidence may be given which it has been necessary to translate from the Irish into the English language by means of an interpreter. Some of these clever gentlemen, because a witness happened to be illiterate and unsophisticated, and because he gave his evidence in some hesitating way, would avail themselves of the opportunity of making a long and probably a strong speech to the jury. The witnesses would have given their evidence for what it was worth; but these gentlemen, representing the Attorney General, would endeavour to detract from the weight of the evidence, and place it before the eyes of the jury in an altogether different aspect from that which, under other circumstances, it would bear. Where no evidence has been given, it has always been laid down that the case should be allowed to go to the jury plainly and simply upon its merits; that the Judge, if he likes, may sum up the evidence, but without note and without comment; and I think it would be straining the punitive character of this measure to its utmost tension if the Attorney General and those who represent him are to have the right of turning the evidence upside down in order to induce a jury to bring in a verdict of guilty *per fas et nefas*.

MR. M'CARTAN (Down, S.): We cannot hope that any words of ours can have the slightest effect upon the Treasury Bench; and it is a waste of time for Irish Members to press any clause upon the Government, seeing that they obdurately refuse to listen or to accept any Amendment we propose. But I believe that the great tribunal outside this House, the mass of the English people who are looking on at our proceedings, will, when the proper time arrives, treat us as we think we are entitled to be treated. The hon. Member for Cork (Mr. Maurice Healy) has told the House that this innovation, in giving the Crown Prosecutor a right of reply, was first introduced in the trial of Robert Emmett. Who was the Judge who tried Robert Emmett? It was Lord Norbury, whose name and acts are execrated by every honest Irishman. At the present moment, the Crown Prosecutor knows full well everything the Crown witnesses are able to prove; and in opening his case he can address the jury on all the evidence he is about to lay before them. Having addressed the jury to his heart's content, I think he should be satisfied with the examination of his witnesses, and then permit the solicitor or counsel for the defence to address himself to the evidence which has been proved before the jury. That is all that the Government are fairly entitled to ask on behalf of the Crown Prosecutor; and, under the circumstances, I think it is scarcely decent for them to refuse to accept this clause. I think they should be satisfied with having put their case before the jury in an opening address from the Crown Prosecutor, and with calling their witnesses. If anything is then wanted, it would, no doubt, be supplemented by the charge of the Judge. The Attorney General has now got his special jury, and is able to get the venue changed; and I do not see why he should wish to confer further rights and privileges upon the Crown. Under this Bill the Government have all the power and the people have none. Indeed, the measure has been well defined by a very high authority as an act of pure despotism.

MR. M. J. KENNY (Tyrone, Mid): I cannot help expressing some regret that we should constantly hear from the Treasury Bench the same reply to all the Motions which are made on this side of the House. We have been anxious, if possible, to hear from the Solicitor General for Ireland some argument against the clauses which have been put on the Paper by my hon. Friend; but we have not yet had a single instance in which he has brought forward a valid argument against any Amendment which has been proposed. What is our position in regard to the Amendment now before the House? The Amendment says—

> "On the trial of any person accused had pursuant to the provisions of this Act by a judge and jury, the prosecutor shall have no right to address the jury in reply where the accused person has tendered no evidence."

I venture to assert that the adoption of the Amendment would simply insure the adoption in Ireland of the same practice as that which at present exists in England. We all know that not only in theory, but in practice, the right of

reply is conferred on the Crown in criminal cases provided the Attorney General is prosecutor. But in what cases does he prosecute in England? He only prosecutes in the gravest and most important criminal cases—in trials where the crime has attracted universal attention. In fact, nothing but a crime of appalling magnitude would warrant the intervention of the Attorney General or his deputy. In such cases he has the right of reply, and is perfectly entitled to exercise it. But how does the Attorney General act in Ireland? His functions there are not limited to crimes of grave importance, but he is accustomed to prosecute in cases of the most contemptible character, which would not receive the attention of any man of standing at the English Bar, yet every case of this kind calls for the intervention of the Attorney General for Ireland, and if he does not act himself he appoints a deputy. Let me take the case of the ordinary Public Prosecutor. The Public Prosecutor can always act for the Attorney General; but in cases where he does not act for the Attorney General he would have no right of reply whatever. Then, I should like to know why the Attorney General and his friends should be placed in any better position in regard to the conduct of criminal cases in Ireland than the Public Prosecutor? The Public Prosecutor in England is deprived of the right of reply, at any rate, where no witnesses are called; and I wish to know on what principle of justice the privilege is to be extended nominally to the Attorney General for Ireland, but really to some minor lawyer belonging to a class of men who never stop at anything for the purpose of carrying their point and securing a conviction by hook or by crook? They receive their instructions from Dublin Castle, and they care very little whether the persons they are prosecuting are guilty or innocent. These are the men who have distinguished themselves in the past, above all others, by the outrageous extravagance of the conduct they have pursued in the Courts of Ireland, and who, in 99 cases out of 100, are not only tolerated but smiled at and approved by the Magisterial Benches appointed by the officials of Dublin Castle.

Question put, and *negatived.*

Mr. M. J. Kenny

Mr. MAURICE HEALY (Cork): I beg now to move, after Clause 9, to insert the following Clause:—

"On the trial of any accused person had pursuant to the provisions of this Act by a judge and jury, the judge shall not charge the jury upon the evidence, but may address to them any statement as to the Law bearing on the case which he may think necessary."

We have heard a great deal, in the course of our debates on this Bill, about the Scotch law, and last night an hon. Member introduced into the discussion the principles of the French law. For the sake of variety, I hope I may be allowed to make an incursion upon American law in connection with this clause. Of course, I am aware that in the American judicial system the law varies in different States; but I think I am correct in saying that in the majority of the United States of America the existing law is in the position in which the clause I now propose would place the law in Ireland. There was a famous case tried in America some four years ago, in which a man named Guiteau was tried for the murder of President Garfield. In that case the Judge was not allowed to sum up the evidence, and it went to the jury simply upon the evidence as it was derived from the witnesses themselves. I would ask what valid reason can be urged against the proposition I make? Why should a Judge take upon himself the function of reproducing the evidence as he has taken it down from the witnesses, and redelivering it highly coloured, and to some extent tainted by the peculiar medium of his own mind? In my opinion, it should be taken by the jury at first hand from the witnesses themselves. That is what the jury ought to do; but, unfortunately, the experience of most people in Ireland is that the result of this practice of permitting Judges to sum up the evidence is that the jurors in a great many cases sit with their hands before them, and do not pay the smallest attention to the case until the Judge commences his charge, and then they accept everything that drops from him as gospel truth. The position I take is that there is nothing that an intelligent juror, desirous of doing his duty in a proper manner, can get from the Judge's charge which he could not get a good deal better from the evidence which fell from the wit-

nesses. I ask why should the Judge be permitted to colour the evidence and pervert the accounts given by the witnesses according to the peculiar cast he may think fit to give in the summing up? Why should the Judge have the power of mimimizing the evidence? Why should he, in his charge to the jury, set off the evidence of one witness at considerable length, and pass over that of another in a summary manner? It seems to me that the whole system of Judges' charges is simply an excrescence which has grown up in the English judicial system, and which should long ago have been rectified as a gross abuse. If this system of permitting the Judges to charge juries, and to deliver under the guise of a charge their own view as to what decision the jury ought to pronounce—if this practice generally is objectionable, then it is particularly objectionable in Ireland. I have no desire to cast any reflection upon any class; but I think it will be admitted by right hon. and learned Gentlemen who sit on the opposite Bench that among a large section of the Irish people there exists a strong impression that some of the Judges do not bring to the discharge of their duties that spirit of fairness and impartiality which it is desirable, in all matters between the Crown and its subjects, should animate the administration of justice. That being so, there exists special reasons in Ireland why this anomaly of the Judges' charges should be got rid of. Of course, I know what the reply of the hon. and learned Solicitor General will be. He is dead against the Amendment, and I have no doubt, when the proper time arrives, he will resist it without argument and without explaining his reasons. It appears to me that it is an Amendment which raises a question of considerable interest and importance. It is an Amendment which well deserves the consideration of right hon. and learned Gentlemen sitting opposite, both now, in relation to this Bill, and hereafter in relation to the ordinary procedure in criminal cases, as well in this country as in Ireland. I trust that although they may not receive the present Amendment with favour they will bring their minds to bear upon the subject, and will be induced to consider the importance of the question I have raised. Although I do not hope, in the present case, to receive from them any consideration of an impartial character I trust I may expect on some future occasion, when the amendment of the Criminal Law generally is under discussion, that this point will not be lost sight of.

Clause (Judge's charge to jury,)—(*Mr. Maurice Healy,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth): I do not propose to lengthen the discussion of this clause by more than a few sentences. I confess, however, that the clause appears to me to put a climax on the series of absurd propositions by which the time of the House has been wasted throughout the evening. It is sufficient to read the words of the clause to justify my astonishment that any hon. Member should have placed such a proposition on the Paper, and called it an amendment of the Criminal Law. The Amendment says—

> "On the trial of any accused person had pursuant to the provisions of this Act by a judge and jury, the judge shall not charge the jury upon the evidence, but may address to them any statement as to the Law bearing on the case which he may think necessary."

If the complaints we hear made on the other side of the House as to the character of the juries by which these cases are to be tried have any foundation whatever, this Amendment would have the effect of striking away the very safeguard of the defendant in the administration of justice. A jury may be sitting for hours, or may be more than one day listening to the evidence, which evidence they have not had the means of taking down. The jury, moreover, will probably consist of persons who are unused to the consideration and sifting of evidence, and they would be almost helpless when they come to deal with the case if it were not for the assistance given to them by the trained lawyer who presides at the trial, and who enables them to recall to their minds the salient points of the evidence already given. This Amendment forbids the Judge to say anything to the jury upon the evidence; but it does not condemn him to absolute silence, because it goes on to say that he may address to them any statement he may think necessary

as to the law bearing on the case. Is it suggested that the Judge may read passages from a treatise on law, but that he must not address the jury upon any of the facts of the case, or refer at all to the case itself? How is he to tell the jury what the law is by which they are to be bound, unless he is entitled to charge them as to the facts as well as the law, in the sense in which any Judge who charges a jury upon facts does so for the purpose of recalling to their mind the important statements of witnesses upon oath? The Judge reminds them of admissions and omissions which have been made which may shake the authority and credibility of the evidence; and his charge, in fact, is the means of informing them of the points which it is their duty to take into consideration. To adopt an Amendment of this kind would make the conduct of a criminal trial ridiculous, and I cannot conceive that in making the proposal any other effect could be anticipated than that of occupying an extra 15 or 20 minutes of the sorely burdened time of the House.

MR. LABOUCHERE (Northampton): I have no wish to enter into the merits of the Amendment, nor am I quite certain as to the course which ought to be taken in regard to it; but when the hon. and learned Gentleman the Solicitor General gets up and says that an Amendment is the climax of the absurd propositions put before the House by the hon. Member for Cork (Mr. Maurice Healy) he only shows how utterly unfit lawyers are to legislate upon anything brought before this House. It was predicted that evil results would be produced by the French Revolution when it was perceived how many lawyers were in the National Convention. In this case, the hon. and learned Gentleman seems to be under the impression that everything which occurs in England with regard to the law must be right. Now, what is there absurd in my hon. Friend bringing forward a change of procedure which is accepted by 16,000,000 Anglo-speaking people? [Sir EDWARD CLARKE: Where?] In America. I was about to say that I was surprised at the ignorance of the hon. and learned Member; but I am certainly not surprised at it. What I maintain is that the hon. and learned Gentleman has no right, instead of answering fairly the Amendment brought forward by my hon. Friend, to bring these general accusations, which are the outcome, if he will excuse me for saying so, of his own legal ignorance.

MR. M. J. KENNY (Tyrone, Mid): It seems to me that the speech of the hon. and learned Solicitor General has put the climax of absurdity upon the proceedings of the Treasury Bench, as they have been carried on in connection with this measure for so long a period. I believe my hon. Friend (Mr. Labouchere) is perfectly right when he says that in the States of the American Union—perhaps not in all, but certainly in the State of New York, and I believe in others—a Judge cannot charge a jury with regard to the evidence, but he can only charge them with regard to the law. He cannot comment upon the evidence; he cannot deliver anything in the nature of a speech either for or against the prisoner; he can only charge the jury as to the law. He can state the law, and he does so, although the Solicitor General asks how he can state the law without going into the facts of the case? I think the hon. and learned Gentleman ought to see that the two things are totally distinct, and that it is not necessary to go into the facts of a case for the purpose of explaining the law to the jury. The hon. and learned Gentleman says that the jury will consist of untrained men; that they will have no opportunity of taking down the evidence; and that at the end of two or three days they will have forgotten what the evidence was. But what is counsel retained for? He has the right of summing up and summarizing the evidence, and as the jury are supposed to be intelligent men it is for them to judge what the merits of the case are from the speeches of counsel, and not afterwards to rely, as so many of them are undoubtedly in the habit of relying, almost entirely upon the charge they receive from the Bench. I believe that a fairer principle would be to allow the jury to act upon the proposal contained in the Amendment of my hon. Friend, and I am satisfied that justice would be much better administered than it is at present.

DR. COMMINS (Roscommon, S.): I will not trouble the House with more than one or two observations, but I think that the Solicitor General did not quite comprehend the clause. He has not

properly given what the idea of my hon. Friend was in proposing the Amendment. The idea of my hon. Friend is clearly this—that the Judge, as in America, should be entitled to read all the evidence over, but that he shall not criticize it or argue upon it. So far from that being an absurd proposition, I think it would be a very valuable alteration of the law. At present the Judge becomes the critic of the evidence, and, instead of giving the evidence as he has taken it down, he is in the habit of delivering a kind of homily upon it. I have myself heard Judges sum up what they called the evidence when the summing up has been altogether different from the evidence. And they are not always strictly impartial; but they not unfrequently impress their own personality in the point of view which they place before the jury, putting all the force they can into it in their summing up of the evidence. In some cases the Judge's summing up is a mere parody of the evidence, and nothing is more common than to have a verdict set aside because the Judge did not put a material part of the evidence to the jury. Very often the Judge suppresses evidence that would tell against his own opinion, and he endeavours to impress the rest of it in the strongest way upon the jury. So far, then, from this Amendment being an absurd alteration of the law, I believe it would be a very valuable addition to the law to confine the Judge to the mere reading of the evidence as he has taken it down, without allowing him to criticize it or warp it in the direction of his own view.

Question put, and *negatived.*

MR. MAURICE HEALY (Cork): I beg to move, after Clause 9, to insert the following clause:—

"In the case of any order or decree made by the High Court in any criminal cause or matter, in relation to any of the provisions of this Act, an appeal shall lie in respect of same to Her Majesty's Court of Appeal in Ireland."

I must say that I am not prepared to accept the dictum of the hon. and learned Gentleman the Solicitor General, that any particular proposition is absurd because that hon. and learned Gentleman thinks fit to say so. All this clause provides is, that in the case of any order or decree made by the High Court, in a criminal case, in relation to the provisions of the Bill an appeal should be to Her Majesty's Court of Appeal in Ireland. The hon. and learned Solicitor General will not, I presume, make any attack upon that Court. I think, if the hon. and learned Gentleman will take the trouble to go through the whole body of learned gentlemen who compose that Court, he will come to the conclusion that it is a tribunal which, from his own point of view, may be relied upon to administer the provisions of this measure fairly. That being so, is there any reason, if we are to have an appeal at all, that the subjects of Her Majesty ought not to have the right to go to that tribunal when their lives and liberties are in question in connection with some proceeding under this measure? Let me take Clause 4 of the Bill. Clause 4 casts an important duty on the High Court of Justice—namely, the duty of deciding an appeal in reference to a proposal to change the venue. An offence may be committed in a particular district—say, for instance, the County of Cork, and Cork County would be the appropriate venue in which the case should be tried. Her Majesty's Government, however, are not content with that state of the law; and by this Bill it is open for the Attorney General, by his certificate, to appoint any other venue in Ireland, and to remove the trial there *ipso facto*, unless the defendant succeeds in convincing the Court of Queen's Bench that there is some other venue where the trial may be more satisfactorily had. I do not think that the Government will venture to say that that is not an important duty, and that a decision come to on a matter of that kind is not one that might fairly be submitted to the highest judicial tribunal in Ireland. Let me take a particular prosecution which may be instituted in Ireland. Suppose it is alleged by the Crown that in the County of Cork there is a conspiracy under the Plan of Campaign, and the Attorney General is of opinion that a fair trial cannot be had in the County of Cork, but that the County of Antrim is the best place in which to hold it. Thereupon the defendant demurs, and he appeals to the Court to set the Attorney General right by declaring that the County of Antrim is not a proper place in which to try charges against persons of particular political views. The Court of Queen's Bench is com-

posed of a number of learned gentlemen against whom I desire to say nothing, but who are, I am afraid, for the most part politicians holding views which are hardly likely to enable them to form an impartial opinion upon in a case of this kind. That being so, I ask why the Court of Queen's Bench, constituted in that peculiar manner, should take on itself the duty of deciding against the accused, and of upholding the decision of the Attorney General? If the Court of Queen's Bench comes to such a decision as that, would it not be monstrous to prevent the litigant from going to the Court of Appeal—from exercising the right allowed to other litigants? If I bring an action against a person for a sum of £20, and I ask for a change of venue in the Court of Queen's Bench, if my application is refused, I have an appeal to the Court of Appeal—and appeals of this kind latterly have become extremely common. I challenge the Government to give this point their consideration. It is, perhaps, useless to do so; they do not give much attention to our arguments; but for the mere novelty of the thing let them do so now. Let them address themselves to the proposition I put, and explain why it is that an ordinary litigant whose rights are only affected to the extent of £20 or £30 can have an appeal to the High Court of Justice on a question of change of venue, and a man who is charged, it may be, with a capital offence, is to rest content with the decision of an inferior tribunal. If the Court of Appeal is to exist at all, it is exactly in regard to such cases as those to which I refer that it should exist. The last class of cases which should be excluded are cases of the kind to which I allude. Questions might arise under the 1st clause of the Bill, for instance. A prisoner or a witness may be examined on a secret inquiry, and if he refuses to answer certain questions put to him which he may allege to be improper questions he may be sent to prison. He may question the warrant of committal in the Court of Queen's Bench on a writ of *habeas corpus* or a writ of *certiorari*, but no appeal will lie from the Court of Queen's Bench. The case being a criminal one, the unfortunate prisoner shut up in gaol would have to be content with an appeal to the lower branch of the Court of Judicature, though, as I have said, he would be entitled to go to the Court of Appeal if it were only his pecuniary interests which were affected to a very small extent. It comes to this, therefore — that in the opinion of Her Majesty's Government a man's liberty is of far less importance than a trumpery question of a few pounds, which may be put in issue in a civil action. I venture to say that the Government will find it extremely difficult to justify this by reason or argument. The present state of the law on this point arises out of one of the provisions of the Supreme Court of Judicature Act, passed in 1877, which provided that we should have no appeal in criminal matters from the Court of Justice to the Court of Appeal. For my own part, it seems to me that a provision of that kind is nothing more nor less than an absurdity. I know of no principle in reason or justice on which it can be defended; and, so far from regarding the enactments of the Judicature Act on that point as in any sense precluding me from raising this question, I say that the sooner this monstrous absurdity is put an end to, and the sooner a man put on his trial for his liberty or his life gets the same right as the ordinary litigant, the better. I move, Sir, the clause which stands on the Paper in my name.

Clause (Appeal from High Court of Justice in criminal matter,) — (*Mr. Maurice Healy,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): I must say that, looking at the state of the House and the deserted condition of the Benches opposite during the past five hours, it does not appear that this debate has attracted much attention on the part of what is called the legitimate Opposition. For the past five hours there has been no one on the Front Bench opposite, and for the last four hours there have only been four Members of the Opposition present—two Unionists and two Gladstonian Liberals. I propose to discuss this clause which has been moved by the hon. Member opposite. The hon. Member, I must say, deserves to be congratulated on the ingenuity he has displayed and on his powers of endurance, for this is the

ninth Amendment which he has moved and the ninth speech which he has made. The change in the law the hon. Member wishes to introduce by this clause is quite contrary to the decided opinion expressed by Parliament within recent years. It is a change which Parliament refused to sanction when the Judicature Act was passed in 1873. It was then distinctly provided that there should be no appeal whatever in criminal cases, and again in 1877 Parliament laid down the same rule in the Irish Judicature Act; and, so far as I am aware, no attempt has been made to bring about any rescission of that decision of Parliament, which appears to me to have been founded upon considerations of wisdom and expediency.

MR. CHANCE (Kilkenny, S.): It only has reference to criminal acts, the right of appeal being allowed in civil actions.

MR. GIBSON: The acceptance of such a clause as this would make the 3rd and 4th sections of the Bill an absurdity. What is the 3rd section of the Bill? Why, it provides that the Attorney General coming into Court is entitled to an order as of right and as of course, allowing a special jury; and yet, though that order is to be made by the Court without the exercise of any judicial discretion on the mere invitation and requirement of the Attorney General it is said that that act, as a ministerial act, is to be a question of appeal.

MR. MAURICE HEALY: I did not mention Section 3 at all in my remarks. I did not say that there should be any appeal against the powers of that section.

MR. GIBSON: I do not say that the hon. Gentleman distinctly mentioned the 3rd section; but I am construing the Amendment. He alluded to criminal cases such as would come under that section.

MR. MAURICE HEALY: Certainly not.

MR. GIBSON: Well, I say, that an order under Section 3 is a ministerial order which the Court must make on the request of the Attorney General as a matter of course, and that the hon. Member's clause would give an appeal to the Court of Appeal, who are to exercise a judicial function in the matter, notwithstanding that the Court below has exercised no judicial intelligence in the matter. If that is not so, then the Court of Appeal is to be a mere registering tribunal as is the Court of Queen's Bench in the first instance. The hon. Member used an argument as to Section 4 of the Bill. Under that provision the Attorney General for Ireland will be empowered to get an order for a change of venue as of course in the first instance—a change of venue to such county or district as he may desire—and the defendant, if he feels himself aggrieved by that order, may make an application in a certain qualified and limited way to the Court of Queen's Bench. No doubt, the hon. Member is right in describing the tribunal to which the appeal in that case is made as the Court of Queen's Bench. As I understand the argument of the hon. Member, he puts it that there should be an appeal from the Court of Queen's Bench for the reason that he is not able to trust the Judges of that Court. Well, all I can say is, that upon such an argument as that the Government cannot proceed. The Judges of the Court of Queen's Bench are as experienced, as upright, and as much respected as the Judges of any other Court in Ireland. It would be impertinence on my part either to eulogize or to defend these Judges; but I do say this—that if those Judges are, in the opinion of hon. Members below the Gangway opposite, unfit to exercise the functions with which they are entrusted by this Act, why do they not take the ordinary course of proposing a Motion for an Address to the Crown for the removal of these Judges? But I am really not going to discuss this matter as one seriously deserving of criticism; because it appears to me that it is put forward as a not very interesting subject of forensic ingenuity and speculation, and I do not believe it was intended to attract serious attention in the House. I would ask the House at this late hour—at five minutes past 12—to proceed at once to a Division upon this clause.

MR. M. J. KENNY (Tyrone, Mid): I do not know how to account for the refusal of the hon. and learned Gentleman seriously to consider this question. It does not appear in his speech, unless it be that the too ready eloquence of the hon. and learned Gentleman makes it impossible for us in this quarter of the House to catch all he says. He seems to have failed

to meet the observations made by the hon. Gentleman the Member for Cork. My hon. Friend pointed out that an appeal from the Court of Queen's Bench is allowed in civil actions; and he asked why, therefore, appeals should not be allowed in criminal matters, which are infinitely more important so far as the individuals interested are concerned? Surely it is a much more serious thing to be tried for your life than to be prosecuted for a debt of £20 or £50. In the case of a civil suit for £20, if the defendant objects to the venue he can appeal to the Court of Queen's Bench, and carry his appeal from that Court to the Court of Appeal. Well, if a man is being tried for his life, add if the venue has been laid in Antrim from Cork, if he objects to being tried in Antrim and appeals, he cannot go beyond the Court of Queen's Bench. Well, I do not wish to question the honour and uprightness of the Judges of the Court of Queen's Bench. That is beyond the question before us; but, while we do not impugn the integrity of those officials, what we claim is, that the Judges of that Court are liable to be mistaken and to be in error like all other mortals. It must be remembered that the Judges to whom we wish to have an appeal are not less distinguished as lawyers or as men of experience than the Judges of the Court of Queen's Bench. The proof of that is this—that the Judges of the Court of Appeal are the flower of the Irish Judicial Bench. It has been said that Parliament has refused to accept the principle of appeal in criminal cases; but I would remind the House that some of the most distinguished lawyers in this country have advocated that principle. It was advocated by Sir James Fitzjames Stephen, and by those who drafted the Criminal Code Bill—and Sir James Fitzjames Stephen since then has become Lord Justice of Appeal. The hon. and learned Gentleman the Solicitor General for Ireland stated that Parliament has twice—both in the English Act of 1873 and the Irish Act of 1877—distinctly refused to yield to this principle of allowing a prisoner to appeal in a criminal case. The hon. and learned Gentleman knows very well that in the draft Code of Sir James Fitzjames Stephen and the other three Judges one of the most important proposals in the codification of the English Law was this right of appeal in criminal cases. That principle was distinctly recognized; it was the most valuable principle in the whole of the new draft Code. I contend that it is owing to the inability of Parliament to deal in a proper way with the Business of these two countries that that draft Code Bill has not long since become the law of the land. If Parliament were capable of dealing with the Business that comes before it, it would long since have sanctioned the principle of allowing a prisoner a right of appeal in criminal cases; and I believe that if I appeal to the lawyers in the House, they, without exception, will say that they are in favour, in the abstract, of the principle of such appeals. I have not heard recently of any lawyer refusing to accede to that principle; on the contrary, I have heard almost every lawyer distinctly declare himself in favour of that principle.

DR. COMMINS (Roscommon, S.): I will not detain the House more than two minutes from going to a Division on this question. I think it is rather late in the day to discuss whether or not the granting of an appeal to a prisoner in a criminal case is a right principle to accede to. That matter has been decided years ago. It has been decided in the same way in every civilized country in the world except England, by every legislative authority that presides over the trial of prisoners. The arguments of the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Gibson), as a matter of fact, do not touch the arguments of the hon. Member for Cork. My hon. Friend's arguments were these—if you allow an appeal to the Court of Queen's Bench in civil cases, why should you not do so in connection with interlocutory orders which may be made under this Act? The hon. and learned Gentleman's answer to that is very funny; he says the Court of Queen's Bench is composed of honourable and respectable men, and that it would be a kind of insult to them if you were to give the power of appeal against their decisions under the provisions of this Act. Why should it be an insult to give the power of appeal in cases of this kind when it is not an insult to give that power of appeal in regard to any little Nisi Prius case? The hon. and learned Gentleman says that by asking for this

appeal we do not trust the Court of Queen's Bench, and that we should demonstrate our want of trust in those Judges not by moving clauses of this kind, but moving an Address to the Crown, asking for their removal. I would answer him by saying why not do that on the Treasury Bench? If it is a matter of trust, then the Government of this country have shown a want of trust in the Court by providing for an appeal in civil cases. I say, therefore, why do not the Treasury move for an Address to remove the Judges? The hon. and learned Gentleman must see that an argument of that kind cuts both ways—that, in fact, it is not an argument at all. Then the hon. and learned Gentleman made some remark about the absence from the House of the friends of the Government, the Liberal Unionists. These Gentlemen, Sir, are probably not present because they feel they can rely upon the Treasury Bench to carry out their views. The hon. and learned Gentleman also remarked upon the absence of the Liberal Members; but why should these Members be present?—they cannot suffer from this Bill. The people who will suffer from this measure are the people of Ireland, and it is the Representatives of the Irish people who have been watching this Bill, and who are watching it now, so carefully and assiduously. The Treasury Bench has its mind made up upon this matter, no doubt; but yet they and, indirectly, the Court of Queen's Bench will have to hear the arguments which we feel bound to adduce. Though our arguments may have no immediate effect, they are bound to have effect in the long run. They are based upon principles of right and justice, and they will be productive of good. They will, at any rate, arouse public opinion, which will lead to valuable improvements in the Criminal Law, not only in Ireland, but in England also.

Question put.

The House *divided:*—Ayes 74; Noes 140: Majority 66.—(Div. List, No. 269.)

[12.20 A.M.]

MR. CHANCE (Kilkenny, S.): The Amendment which I now propose has for its object to remedy an extraordinary omission in the existing law. It has been held, where a person is called upon to enter into a recognizance to keep the peace or be of good behaviour, that the defendant has no right whatsoever to call evidence to disprove the statements made in the affidavit on which the writ is obtained, and it is against that that this Amendment is directed. The second part of my Amendment is consequential, and will enable a person accused to deny that he has done the act alleged, and to call witnesses to prove, if he can, that the allegations made against him are untrue. I propose, after Clause 9, to insert the following clause:—

(Procedure on application for sureties of the peace.)

"(1.) No person shall be bound in recognizance to keep the peace or be of good behaviour unless it shall be proved that such person has committed a criminal offence.

"(2.) Upon the hearing of any such application to bind a person in a recognizance to keep the peace or be of good behaviour, the person accused shall be entitled, by evidence upon oath, delivered either by witnesses in person or by affidavit, to rebut the accusation of crime made against him."

Clause (Procedure on application for sureties of the peace,)—(*Mr. Chance,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): There are two considerations which compel me to oppose the Amendment of the hon. Gentleman. The first is, that it has no connection whatever with the scope of that particular portion of the Criminal Law which is dealt with in this Bill. If on any Bill dealing with a part of the Criminal Law it were competent for any hon. Member to draft and bring in a clause to alter the Criminal Law generally, it seems to me that no Bill dealing with a portion of the Criminal Law could be dealt with within the limits of a single Session, because each day might see fresh Amendments on the Paper, the discussion of which would require one or two nights for their decision—a fact which is obvious, for the Criminal Law is one that cannot be lightly altered. My second objection to the Amendment is, that it supersedes the existing law as to giving recognizances for good behaviour or to keep the peace. It has always been laid down in our law-books, and by our best lawyers, that it was desirable to have

laws to prevent as well as punish. It is upon the former that the whole theory with reference to good behaviour is founded; and there has, consequently, existed a preventative jurisdiction in Courts of Summary Jurisdiction for binding over persons to be of good behaviour and keep the peace.

MR. DILLON (Mayo, E.): I must direct the attention of the House to the extraordinary proposition laid down by the hon. and learned Solicitor General for Ireland (Mr. Gibson) in his reply on this Amendment. The title of this Bill is a Bill to amend the Criminal Law (Ireland); and, that being so, I want to know on what ground the hon. and learned Solicitor General for Ireland considers he has a right to challenge any proposal to amend the Criminal Law of Ireland? If the Government desire to confine the scope of their Bill to particular lines, why do they not put a Preamble to the Bill to explain the particular principles of the Criminal Law to which the Bill applies? If they had done that, it would have given them some shreds of excuse for saying it is an extraordinary and objectionable course on our part to seek to alter the Criminal Law. The hon. and learned Solicitor General for Ireland says that it is for the Government to bring in a Bill to amend the Criminal Law of Ireland, but that hon. Members of this House are to be confined in their Amendments to the particular alterations of the law which the Government choose to deal with in their Bill. As far as we have been able to judge, the real ground and the only ground of the objection which the hon. and learned Solicitor General and his Colleagues have to this Amendment is this—that whereas every single Amendment to the Criminal Law, as they choose to call it, is an Amendment in favour of the Crown and against the prisoner, the head and front of our offending in introducing, or attempting to introduce, this clause, is that we dare to propose an Amendment which I believe is, to a certain small and limited degree, in favour of the prisoner. The proposition of the Government is this—that they have introduced a Bill which bristles with enormous and extensive alterations of the Criminal Law, against the subject and in favour of the Crown, and it shall not be competent for any hon. Member of this House to propose any alteration of that Bill which would introduce some provision favourable to the prisoner as against the Crown. What is our contention? We say that whereas an enormous, and far-reaching, and complicated alteration of the Criminal Law is being introduced by this Bill, it is perfectly germane to the subject and competent for us to propose that when the Government is being armed with enormous fresh powers they should part with obsolete and ill-defined powers, which have been grossly and frequently abused in Ireland recently. I defy anyone to deny the reasonableness of such a proposition. What we ask is that, having got these enormous powers, enabling them to imprison all those whom they are pleased to call criminals in Ireland, they shall consent, in the same Bill, to part with powers they sought to use against us last winter, and which have been abused in the grossest possible manner. This Amendment I regard as an extremely modest Amendment; and what does it ask? It asks that the prisoner, who is locked up on certain affidavits, and called upon to be of good behaviour, may have some opportunity of proving that he has not been of ill-behaviour, and that there is no ground on which those charges can be made against him. What is the present course of procedure? A man is summoned before the magistrates or the High Court, and he is put to the ignominy and disgrace of being held under heavy bail to be of good behaviour, and his mouth is shut. He is not allowed to offer a single witness or to have an affidavit sworn in his own defence. Perjured affidavits are brought against him. Affidavits are drawn up in Dublin Castle, sworn to order, and the men who swear them perjure themselves in numerous instances, and the prisoner at the bar is held to bail to be of good behaviour, and he is pilloried before the country, just in the same way as the prostitutes and the people lying about the streets are. It was against prostitutes and other dissolute persons that the power to hold to bail was originally granted; but it is under this power that the men of Ireland are to be pilloried before the country—as I was recently—without being able to open their mouths. Men have been held to bail in Ireland to be of good behaviour

without being allowed to make the smallest defence or retort. The affidavits in every single instance have been perjured—they have been sworn to by salaried officials of Dublin Castle. I maintain that this is a perfect travesty of justice, and that it is a most reasonable and fair demand on our part that when this enormous alteration of the Criminal Law in favour of the Crown is being made, the Government might grant this small concession to the people of Ireland. This power, which is an old and utterly obsolete power, was never intended by the men who originally granted it to be used against men of decent repute, much less to be used against hon. Members of this House; but, as anybody can ascertain for themselves by consulting the law-books, was intended to be used against a class of persons who, by their known repute and proceedings in the roads or streets, might be expected to commit grievous assault or robbery, and who could be looked upon naturally as disturbers of the public peace. What is the spirit of these Acts according to the old law-books? I will tell you what it is. It is quite evident that the spirit of the old Acts is this—that where in those days—the days before the Poor Law, and in the days of the Civil Wars—men wandered about the country to a much greater extent than now; men from whom it was notorious the peaceful citizens might shrink; men who would sack houses and take away life—for such a state of things there is no parallel now. The evident spirit of the law and of the Legislature was this—that these men could be prevented from committing great crimes because nobody could be found to go bail for them. It was never intended, as I have already said, that this old right should be used against people of good repute, people who could produce heavy bail. When it was found, as civilization advanced—when it was found, in the days of the Stuarts, that men of good repute were placed under heavy bail, laws were enacted to check, to a certain extent, this power. What do the Magistrates and Justices of Ireland do? They go behind these laws; they lay down from the Bench the doctrine that they in acting as they did in my case and in other cases acted upon the intention of the Common Law of England, and upon decisions of Judges anterior to the days of the Stuarts and of Edward III. When we challenged them to produce a single precedent for their conduct they were dumb. There is not a single precedent in English books of this system which we wish to put a stop to in Ireland. The real point and essence of the hon. and learned Solicitor General's speech is this—that while the Government are prepared and are asking this House to make most sweeping and enormous changes in the Criminal Law of Ireland as against the subject, and in favour of the Crown, they deny utterly our right to ask for any alteration which shall take away from the Crown a single power, no matter how obsolete, and no matter how scandalously it has been abused in the near past. That is the position which I think has been persistently maintained by the Law Officers of the Crown throughout the discussions on this Bill. To my mind it is a most scandalous position. In point of fact, the whole conduct of this debate on the Government side of the House has been such as I have never witnessed in this House. We have endeavoured to carry on this debate in a fair spirit; but we have not been allowed to do so, because the entire party forming the majority of the House sit opposite and are determined to force through this House a Bill for which there is no precedent—to force through the House this Bill without observing even the decencies of debate, and without attempting to reply to a single argument which is put forward on behalf of the people against whom this Bill is aimed. Hon. Members speak in condemnation of our continuance of the debate. Of course, we continue the debate; we are bound as long as we are allowed to stand up in this House to continue the debate, in order to expose, at all events, if we cannot mitigate the brutalities of this Bill, and to make plain the way in which it is being forced through this House by men who positively hate our people. We say we are bound to continue so long as we are allowed to stand up in this House to expose the tactics adopted by the majority of the House, and to do everything in our power to discredit the Party responsible for the introduction of such a Bill. Now, the hon. and learned Solicitor General wound up his speech by saying that it was intended to put under their recognizances to be of good behaviour

men who had committed crime. The Amendment is not intended for anything of the sort, and that is a totally false statement of the purport of the Amendment. The hon. and learned Solicitor General knows perfectly well, everybody, of course, knows perfectly well, that in Ireland and in this country it is the common practice of the magistrates, when a man has been proved guilty of an offence, and when, taking into consideration the nature of the offence and of the circumstances surrounding it, they do not choose to commit the man to gaol, they put him under recognizances to be of good behaviour. The first part of the Amendment provides that a man shall be proved to have committed offence, no matter how trifling You must read the Amendment in conjunction with the Bill, and remember you will only have to prove a criminal offence such as this Bill creates. The other section of the Amendment provides that a prisoner shall be entitled to make some attempt to justify himself, and if he has been held to recognizances on perjured affidavits of police officers, unsupported by an atom of independent evidence, he is to be entitled to put in evidence against that perjured testimony. Now, Sir, the answer even to that proposal, which is an independent proposal and different from that in the first section of the new clause, is "No, we shall not agree to it." Now, I leave it to any man, who has any reason at all, to say whether this is not a reasonable proposal? You will not consider the merits of this question at all, you are determined to go on blindfolded and accept whatever the Government proposes, provided it is against the Irish people, and to reject whatever we propose provided it is in favour of the Irish people. No matter how trifling the advantage on the side of the Irish people a proposition of ours may be, the Conservative Party set their teeth against it. This disposition on your part is accountable for the position we have taken up during this debate. If we are irreconcilable, it is because you were irreconcilable first, and have carried on this discussion from the very outset in a spirit in which no discussion has ever been carried on in this House before. Now, the refusal of this proposal in the face of the gross abuses which have taken place in Ireland during the last few years is only a fresh lesson of the way in which this Act is proposed to be carried out. I do not think that there is the least use in adding any arguments in favour of this clause; but if argument were of avail, it surely ought to influence some hon. Members when they remember what the Government attempted to do last winter. They attempted to force a man under bail certainly, as they themselves admitted, without any precedent in English law for upwards of two centuries, with the deliberate intention of estreating his bail, which they knew, if estreated, would utterly ruin him, and leave him a beggar. They attempted to force this man under heavy bail by the grossest abuse, as we contend, of the law with the deliberate intention of estreating the bail. They endeavoured to estreat the bail, and it was only because they could not pack a jury that they failed to do so. We are entitled to infer from this action on the part of the Executive in Ireland that they are determined to abuse these powers as far as they possibly can.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Clancy.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I hope that after the very protracted discussion this clause, at least, will be disposed of to-night. The hon. Member for East Mayo (Mr. Dillon) just now admitted that no further argument could be of any avail. [*Cries of* "Oh, oh!"] These are the hon. Gentleman's own words. I expect hon. Gentlemen to respect their own language, and, as they appear to think that no further argument can be of avail, I hope they will allow the decision of the House to be taken upon this clause.

COLONEL NOLAN (Galway, N.): I certainly think that one Minister, at all events, ought to answer the powerful speech of the hon. Member for East Mayo (Mr. Dillon). If the debate were adjourned now, a reply to that speech may be given to-morrow, and a Division taken at an early hour. It must be remembered that this Amendment raises a very important question which ought not to be disposed of in the very summary manner desired by the right hon. Gentleman the Leader of the House.

MR. EDWARD HARRINGTON (Kerry, W.): I sat near my hon. Friend (Mr. Dillon) during the whole of his speech, and I can assure the right hon. Gentleman the First Lord of the Treasury that he did not say we had exhausted all the arguments in favour of this clause; but that he saw there was no use in pressing further arguments on the attention of the Benches opposite, because they would pay no attention to those arguments. I certainly think that, if we were now discussing the Amendment and not the Motion for the Adjournment of the Debate, I could enumerate cases occurring in the County of Kerry which would have some influence possibly on the votes of hon. Members opposite. I do not wish for a moment to stand between the House and its decision upon this particular question; but, so far as I can, I would impress upon my hon. Friends beside me the importance of speaking to this Amendment. I regard it as the most important of the clauses which it has yet been attempted to import into the Bill, and it would be a mistake to forego any weapon we may have to-night without insisting on dealing with such a subject.

MR. BRADLAUGH (Northampton): I hope the right hon. Gentleman will be merciful to us. He may think it possible to dispose of this clause in a few minutes; but I would remind him that on another occasion a subject which it was supposed would be finished in five minutes occupied five hours.

MR. W. H. SMITH: I will not contend with hon. Gentlemen below the Gangway, nor take a course which may have the effect of further wasting the time of the House on the question of the adjournment of the debate. I therefore assent to the adjournment.

MR. CHANCE (Kilkenny, S.): In the Committee stage I moved an Amendment which would require the period during which a Proclamation should lie on the Table to be 14 effective days. I remember the Attorney General (Sir Richard Webster) favourably considered that Amendment; but, subsequently, it was withdrawn on the ground that he would consider whether it was necessary to adopt it in the form in which it was drawn. He assured me that if eventually he considered it necessary he would move its insertion. I do not see it on the Paper, and, if I am in Order, I should like to ask the hon. and learned Gentleman whether he has come to any decision upon the point?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The matter has not been lost sight of. I will promise the hon. Member to give my attention to it.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

MR. W. H. SMITH: I think, after the discussion that has taken place both last night and this evening, the House will be prepared for a Notice I am now about to give of a Motion which I will move on Thursday——

MR. EDWARD HARRINGTON: We shall not be surprised at anything.

Several hon. MEMBERS: The gag.

MR. W. H. SMITH: I wish to give Notice that on Thursday I will move—

"That, at Seven o'clock p.m., on Monday, the 4th day of July, if the proceedings on the Consideration of the Report of the Criminal Law Amendment (Ireland) Bill be not previously concluded, the Speaker shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair.

"Thereafter, such Amendments only may be moved as, being otherwise in order, were printed in the Order Book when public notice of this Order was given, and the Question on such remaining Amendments, if moved, should be put forthwith.

"Mr. Speaker may, at his discretion, take the Vote of the House, after the lapse of two minutes as indicated by the sand-glass, by calling upon the Members who support, and who challenge this decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the House, or name Tellers for a Division.

"From and after the passing of this Order, no Motion of Adjournment shall be allowed unless moved by one of the Members in charge of the Bill, and the Question on such Motion shall be put forthwith."

MR. DILLON (Mayo, E.) here rose.

MR. SPEAKER: There is no Question before the House.

MR. DILLON: As a point of Order, I wish to ask whether we may not be permitted to ask Questions of the right hon. Gentleman the Leader of the House in reference to the Notice of Motion he has just given?

MR. SPEAKER: It would be quite contrary to Order.

MR. EDWARD HARRINGTON (Kerry, W.): Might I ask, as a point of Order, on what Question the right hon. Gentleman the First Lord of the Treasury spoke when he gave his Notice?

MR. SPEAKER: Order, order!

WAYS AND MEANS.—REPORT.

CONSOLIDATED FUND (No. 2) BILL.

Resolution [27th June] *reported.*

MR. DILLON (Mayo, E.): I wish to ask the right hon. Gentleman the First Lord of the Treasury, before we agree to this Report, a question as to the Motion he gave Notice of for Thursday. It seems to me that the right hon. Gentleman selected an extremely inconvenient time to give Notice of this Motion. I should have supposed that, in accordance with the usual custom, he would have given Notice of the Motion on the Motion for the Adjournment of the House, or, if not, at any rate, at half-past 4 o'clock to-morrow. I cannot catch from the right hon. Gentleman's statement whether he proposes in this Resolution——

MR. SPEAKER: It is quite out of Order to discuss the Notice which has been given. The hon. Member will see it on the Paper to-morrow. On Thursday the question will come up for discussion in the House, and the hon. Member will have an opportunity of saying anything he wishes to say on the subject.

MR. EDWARD HARRINGTON (Kerry, W.): On the question of Order, I should like to ask whether it is in Order for the Leader of the House, or for any Member of the House—who, I presume, has the same privileges in this respect as the Leader of the House—to interject a Notice of Motion between two Orders of the Day, which Notice of Motion does not appear on the Paper?

MR. SPEAKER: The Notice was given for the convenience of the House, and the hon. Member will see that it was given before the Notices or the Ordinary Orders of the Day were entered upon.

Resolution *agreed to*:—Bill *ordered* to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

Bill *presented*, and read the first time.

TRUCK BILL.—[BILL 109.]

(*Mr. Bradlaugh, Mr. Warmington, Mr. John Ellis, Mr. Arthur Williams, Mr. Howard Vincent, Mr. Esslemont.*)

COMMITTEE. [*Progress* 13*th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause (Prohibition of Stores,)—(*Mr. Donald Crawford,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The House will remember that when last this Bill was before the Committee the hon. and learned Member for North-East Lanark (Mr. Donald Crawford) made a speech as to this new clause as to the prohibition of stores being sold to a workman by his emyloyer. Well, Sir, in my opinion, this clause goes too far. I will not say it may not be desirable to introduce a provision somewhat of this character on some future occasion in some larger and more comprehensive measure; but I think, looking on the scope of this Bill and at the time at which it comes before us, it is hardly desirable that we should deal with this proposal in the way suggested. It is extremely desirable that we should take precautions to prevent the payment of wages otherwise than by money; but it does not appear to me to be absolutely requisite that at this time we should go into the question of the stores, which may be sold by an employer to a workman. We must not forget that it may not in all cases be desirable to prohibit the keeping of stores by masters. In some out of the way places it may be to the interests of the men that they should have some means of getting good provisions, which only the masters could provide. We have not sufficient information to enable us to deal with the question at once; and I therefore think that the clause should not be read a second time.

MR. BRADLAUGH (Northampton): I would ask the hon. and learned Gentleman the Member for North-East Lanark not to press the clause, because there have been considerable remonstrances made to me on the part of the persons belonging to Co-operative Stores to the effect that they would be placed in a false position by the adoption of this proposal.

DR. CLARK (Caithness): I really do not see how any Co-operative Stores can object to this clause. If employers have any stores on hand they can easily transfer them to the workmen. At present in some cases, where, for instance, they have wharves and sell coal and other things which no one else can sell,

the workmen must depend upon the employers. No one else can sell coals owing to the non-existence of other wharves.

MR. CALDWELL (Glasgow, St. Rollox): Under the existing law, any other mode of payment than money payment for wages is expressly prohibited, and not only that, but no master can recommend to his *employé* where he is to spend his wages. The law has taken ample precaution to see that wages shall be received by workmen in money—it is impossible to make that law more stringent than it is at the present time. This clause, however, goes further than that. When the money is received by the workmen this clause would give him protection in regard to the manner in which that money is to go out of his pocket after it is once in. It proposes that the workmen shall not be entitled to purchase anything from stores which may be kept by the master. The effect of this would be that, supposing the master were a baker, the workman would not be able to purchase his bread from him, but would have to go to a competing baker, or if the master were a tailor, he would not be able to purchase any article of clothing from him. In the same way, if the master is a dairyman, the labourer would not be able to purchase anything from his farm. This seems to me to be really going too far. The law requires at the present time that the workman shall be paid in the current coin of the realm—that the money shall go into his pocket, and that the master shall have nothing to say as to how that money is to be disposed of. I think the law has taken ample precautions for securing the interests of the workmen, and the only point with which I would suggest that this clause should deal would be the supply of spirituous liquors to workmen. A clause prohibiting such supply would be in accordance with the Resolution already passed in the Bill. The workmen should be prevented from obtaining spirituous liquors from their employers; but otherwise I think workmen should be left to the protection of the law as it at present stands.

Question put.

The Committee *divided*:—Ayes 32; Noes 109: Majority 77.—(Div. List, No. 270.)

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move, in page 2, after Clause 7, to insert the following clause:—

"Where any deduction is made from a workman's wages for the education of any child, and such child attends a State-inspected school selected by the parent or guardian, the school fees of such child shall be paid to the head teacher or manager of such school."

I regret that there are not more Members present who take an interest in this Bill; but it was not generally understood that the Bill was coming on to-night. The object of this Amendment I will explain in a very few words to the Committee. It deals, as the Committee will see, with the education of children——

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Agreed.

MR. DONALD CRAWFORD: Do I understand the hon. and learned Gentleman to say that he accepts the Amendment?

SIR RICHARD WEBSTER: Yes.

MR. DONALD CRAWFORD: Then I will not continue my observations.

Clause (Deduction for education,)—(*Mr. Donald Crawford,*)—*brought up*, and read the first time.

Question, "That the said Clause be now read a second time," put, and *agreed to*.

MR. DONALD CRAWFORD (Lanark, N.E.): I now propose the next clause, standing in my name, as follows:—

"Where any deduction is made for medical attendance or medicine from the wages of workmen in the employment of any employer, such workmen may from time to time appoint a person to be their medical attendant, and to supply them with medicine, and such deductions shall be paid to the person so appointed."

This question of deduction from wages for medical attendance excites great interest in mining districts. At the present time in such districts the doctor is usually provided by the employer. That is a very proper thing to do, and under the existing Truck legislation it is legal to make such deductions from miners' wages. But the miners complain that they have not appointment of the doctors themselves. They are sometimes, I am afraid, suspicious that they do not get the full benefit of their payments, that part of the deductions made from their

wages is spent on medical attendance upon the employer and his family, or, at any rate, that it is not entirely spent upon themselves. Under these circumstances, I would impress upon the Committee that the workmen attach the greatest importance to having the selection of their own medical men. The demand they make upon this point is a reasonable one, and I trust that the Government will accede to it.

Clause (Deduction for medical attendance,)—(*Mr. Donald Crawford,*)—*brought up*, and read a first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I would suggest to the Committee that it is not desirable to introduce this clause into the Bill. I have received deputations from medical gentlemen upon this matter, and I have also received information respecting the views entertained by some of the working men upon the subject. From the information before me, the matter seems to be a very difficult one to deal with. There are places where the works are a considerable distance from a town, and where, therefore, there is difficulty in getting fully qualified medical men to undertake to attend upon the work-people. I am told that in some of these cases the masters frequently subsidize the medical advisers, and pay as much as £50 or £100 a-year for the purpose of getting perfectly qualified medical gentlemen to attend upon the work-people at a lower scale of fees. The clause provides—

"Where any deduction is made for medical attendance or medicine from the wages of workmen in the employment of any employer, such workman may from time to time appoint a person to be their medical attendant, and to supply them with medicine, and such deductions shall be paid to the person so appointed."

It therefore proposes to take out of the hands of the masters the power of appointing the medical men, or the power of having anything to do with the appointment of the medical men, and to place that power altogether in the hands of the workmen. With regard to this, I must say what I said upon the last clause. It may be possible that in some Bill of a larger character than this some amendment of the law may be introduced; but it seems to me that it would be well to refrain from introducing into the subject we are now dealing with any interference with the law affecting the relations between workmen and medical men. Any larger measure in which this subject may be dealt with would have to take into view the question of complaints which might be made by some workmen, whilst others might be satisfied, also the question of arbitrary charges on the part of medical men, and furthermore, the question of how the wishes of the workmen are to be considered. On behalf of the medical men it is represented to me that in many parts of the country there would be an objection to undertake the duties of attending a number of working men if the medical gentlemen were to be under the dictation of a committee of working men. I do not pretend to be acquainted with the operations of the Medical Profession, but I am informed that sometimes these gentleman underbid each other for the purpose of obtaining these appointments. I would suggest to the Committee that it is not desirable to put this clause in the Bill.

MR. BRADLAUGH (Northampton): I appeal to the hon. and learned Member for North-East Lanark not to press this clause. As he is aware there have been several deputations of medical men to London since the matter stood for discussion. The question involves many matters outside the question of pure truck, and as perhaps many of the other Amendments which the hon. Member has on the paper will be accepted, I would ask him not to press this proposal. It really raises questions outside the principle of this Bill.

MR. CONYBEARE (Cornwall, Camborne): I think the statement of the hon. and learned Attorney General is rather an argument for not going on with this Bill at this hour of the morning at all. As, however, we are on it we must discuss it fairly, and I would point out to the hon. and learned Gentleman that if all these important matters are postponed until another period, it will be as well to give up the present measure and to wait for a thorough-going Truck Bill on some other occasion. I should like to say a word or two with reference to this clause, as it affects a matter upon which a Select Committee upstairs on Cornish mines have taken a

deal of evidence. This Bill, as a general measure, will affect my constituents, and I should like to point out to the Committee, with the view of getting its decision as to whether this clause should be passed or not, that before the Committee to which I have referred, a great many Cornish miners have declared themselves in favour of a proposal such as is embodied in this clause. In connection with the Cornish mines, there are medical men appointed by the mining authorities and paid by deductions from the wages of the men, and considerable dissatisfaction has arisen by reason of the men being not as a rule allowed to appoint and select their own doctors. We have been told that in some mines the selection of the medical attendant is, as a matter of fact, permitted to rest with the workmen, and has been found to work without the least difficulty. On the whole, the evidence we have taken this Session has been in favour of permitting the men to appoint their own doctors. From all that I know on the subject, I have no hesitation in assuring the Committee that the fears entertained and expressed by the hon. and learned Gentleman the Attorney General are without foundation. But I would add this remark that the hon. and learned Gentleman will find in the Report of the Commission on Mines dated, I think, in 1864, which I have been studying only this evening, most voluminous evidence as to the condition of miners throughout the country, and especially with regard to this question we are now discussing, and other similar points. This Commission reported—I am only quoting from memory—in favour of allowing the men to select their own doctors. I therefore, think, Sir, that there is quite sufficient evidence in favour of this clause. I do not say that it is absolutely desirable that it should be passed at once, but it does seem to me to be a pity, while we are on the subject of truck, that we should not do our work thoroughly. If we are not to do our work thoroughly, I think, considering the hour of the night, it would be better that we should agree to report Progress, so as to take the discussion at a time when we can proceed with it in a satisfactory manner. I did not rise to propose a Motion of that kind. I only rose to lay these facts before the Committee in order that it may be understood that there is evidence before a Select Committee upstairs in favour of the proposal of the hon. Member.

MR. CHANCE (Kilkenny, S.): The hon. and learned Attorney General, in opposing the new clause, stated that he thought the subject extremely complex, and that it should be dealt with in a Bill of a larger and more general character than the present measure. He said, further, that this new clause was not strictly relevant to the subject-matter of the Bill. It seems to me that it is strictly relevant to the subject-matter of the Bill. The men are practically compelled to submit to certain deductions from their pay, and out of these deductions their employers pay medical men, whom they select themselves. In this way it has come to pass that the workmen, instead of getting their whole wages, only get a part of them, the remainder being paid for medical attendance. That is distinctly an infringement of the principle upon which this Bill is founded. It is stated that the masters in some cases subsidize the medical attendants. I suppose they do, and I see nothing in the clause to prevent the masters from continuing the system. Where the masters do that, I take it that working men will not be found so unreasonable as to refuse to the masters a voice in the selection of those medical men. I do not speak theoretically upon this matter. I recollect the case of a large railway, where they paid their own doctor; but where, owing to the fact that the employers subsidized him to a large extent, their voice is always listened to in his selection. The opposition to this clause must be considered upon one real ground—namely, that the workmen are not fit to choose their own medical attendants as other people. But they pay the medical attendant, and, paying him, I do not see why they should not also be allowed to choose him. As to the medical men under-bidding each other, I should think, if such a practice does exist, so much the better for the miners. If they do not get a good medical adviser under that system it is their own affair. I do not see why they should not be allowed to use their money to the best advantage; and while you will not compel them to take food or stores from a master, I do not see why you should compel them to take medical attendance

rom him which they do not want. Such compulsion is a distinct infringement of the principle of this Bill, and I therefore hope that the clause will be agreed to.

Mr. TOMLINSON (Preston): The Committee ought not to forget that this is a far-reaching Bill, that its operation extends throughout the Kingdom. I can quite suppose it may be desirable to embody some provision of this nature in some future Bill; but the proposal requires more consideration than has been given to it up to the present. The hon. Gentleman the Member for the Camborne Division of Cornwall (Mr. Conybeare) has spoken of the Committee which is now sitting. I am a Member of that Committee; but I do not take the same view of the evidence which he has expressed. At the same time, I am ready to admit it is very likely some such provision as this may be suitable to the condition of Cornwall. If so, it may be introduced in one of the Bills the Committee is now considering. But I submit that we are not in a position to say that a sweeping clause of this kind would work satisfactorily throughout the kingdom. I certainly think it is wiser to leave the matter for future legislation.

Mr. JOICEY (Durham, Chester-le-Street): I can speak from personal experience with regard to this matter. At the present time, the collieries with which I am connected have a medical man, to whom is paid £200 a-year. For that salary he attends to any man who may be injured by accident. Of course we make deductions from the wages of our workmen to pay the doctor. We, however, never make deductions from the men who do not approve of the doctor. The men are quite at liberty to employ any doctor they like. If they do not feel inclined to employ the doctor we have on the spot, they are quite at liberty to employ any other, and no deduction is made from their wages. Let me give an instance which has happened in my own experience. If we had not had the power of appointing a doctor, a man would have been appointed who was not qualified. It would have been a very unfortunate thing if a man without proper qualifications had been appointed, and taken up a large proportion of the income of the district. While I believe with some of the hon. Gentlemen who have spoken, that everyone should be allowed to consult his own medical man, I think we should deal with a clause of this kind with very great care. I scarcely like the way the clause is worded. As I read it, it simply compels an employer to deduct an amount from the wages of his workmen for any man they may appoint. It does not say whether the majority are to appoint him or not.

Mr. CALDWELL (Glasgow, St. Rollox): I must say I am in favour of this clause. It seems to me that if you authorize, by Act of Parliament, deductions to be made from the wages of workmen for the services of a medical man, the workmen ought to have the appointment of the doctor. I know perfectly well that in Scotland the usual practice is that deductions are made from the workmen, and that the total of the deductions is the sole sum paid to the doctor. There may be exceptional cases here and there; but we have to deal with the general principle, and the general principle is that the workmen are called upon to pay for the medical man; whereas at present the appointment of the medical men rests entirely with the masters. We know that in England many of these appointments are bought and sold. We know, for instance, that when a medical man leaves a neighbourhood he sells his practice, that he gets for this appointment at least the amount of one year's income. The doctor who is leaving sells his practice to the man who will give him the largest sum for it. If the practice includes an appointment to a colliery, the outgoing doctor will get the arrangement he has made ratified by the masters, and, practically, the workmen will have no say whatever in the matter. I think, therefore, that when you authorize deductions to be made from the wages of the workman on account of medical attendance, when you compel every workman to submit to these deductions, it is but fair that the men who are compelled to pay for the medical practitioner should be the parties in whom the appointment ought to rest.

Dr. CLARK (Caithness): An Amendment to this clause stands in the name of the hon. Gentleman the Member for the Universities of Glasgow and Aberdeen (Mr. J. A. Campbell). If you adopt that Amendment, or only the first half of it, you will have all the security you require. As the clause now stands,

there is no way provided of determining how the medical men shall be elected; but by the Amendment of the hon. Gentleman (Mr. J. A. Campbell) you would have a Committee composed of the employer, or one representative of the employers, and not less than three or more than six representatives of the workmen. This Committee would consider all complaints made regarding the medical attendant, or, rather, regarding the assistants who generally do the work for the medical men. I think the clause is an important one, and that with the Amendment of the hon. Gentleman the Member for the Universities of Glasgow and Aberdeen it would work very well. We should then have a Committee representing both the mineowners and the workmen, and this joint Committee would attend to the medical arrangements.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER (Isle of Wight)): I may point out that the Amendment suggested by the hon. Gentleman (Mr. J. A. Campbell) only deals with one of the questions which may arise. Looking at the clause as proposed, I believe it will be found to be a clause which will not work well. I am perfectly willing and anxious some such Amendment of the law should be made; but I do not think it would be advisable to introduce this piecemeal legislation here.

MR. CREMER (Shoreditch, Haggerston): I am sorry the Government do not see their way clear to accept the Amendment of the hon. Member (Mr. Donald Crawford). I have frequently found that people have great faith in a particular doctor, and that the confidence which that faith inspires has as much or more to do with the recovery of some patients than the medicine with which they are supplied. It is, also, but right that those who have to pay for the doctor should have a voice in the appointment of him.

MR. DONALD CRAWFORD: Perhaps it may shorten the discussion if I say a word or two at this point. I regret very much that the Attorney General has not seen his way to accept this Amendment. He says that some Amendment in this sense ought to be made, and I must say it is a matter for regret that, during the many months this Bill has been before the House, the ingenuity of the Government has not enabled them to frame a satisfactory Amendment. Medical deduction is one of the deductions allowed under the existing Truck Act, and, therefore, this clause is in the strictest possible sense germane to a Truck Bill. This is a matter to which my constituents attach great importance. I am extremely anxious that progress should be made, and, therefore, I do not intend to press my Amendment to a Division, as I think it would be useless to do so; but I certainly shall not withdraw it.

MR. CONYBEARE: I think it right I should say a word or two more, because this Bill will affect my constituents, and the question under consideration is an important one. In reference to the remarks of the hon. Gentleman the Member for Preston (Mr. Tomlinson), let me say I did not intend it to be inferred by the Committee that in what I said I represented the views of the Committee sitting "upstairs." What I said when last I addressed this Committee was, that evidence has been given to the Committee "upstairs" which distinctly goes to show that the principle of allowing workmen to select their own doctor under the system of deduction from wages for the purpose of paying the doctor is working at the present moment in Cornwall, and working with the greatest success. The evidence we have taken proves clearly that this principle can be very safely adopted; and I repeat that in the Report of the 1864 Commission on Mines you will find a recommendation is made in favour of the adoption of this principle. It appears to me that the objection raised by the Attorney General might be met if this clause were amended by omitting after "person" in the third line the words "and to be their medical attendant," and inserting, "being one of the recognized medical men in the neighbourhood." The objection that the men might appoint someone who was not properly qualified would be perfectly overcome by some limiting words of that kind. I hope the hon. Member (Mr. Donald Crawford) who has proposed this Amendment will, if he does not think it desirable to have the matter pressed this evening, bring up a fresh Amendment dealing with the subject on the Report of the Bill, when we may perhaps be able to convince the Government that this is a matter which urgently requires to be dealt with this Session,

and which may be dealt with without injury to any person.

MR. DILLWYN (Swansea, Town): I hope the Attorney General will re-consider his decision. I know something of the working of the present system of appointing doctors to the metal works and collieries in the district I represent. As far as I have been able to judge, it is very desirable the appointment of doctors should rest with the workmen. I have known instances in which doctors have been appointed by the masters, and others in which they have been appointed by the men. The appointments made by the men have been most satisfactory. I have known many cases in which the masters have appointed their own relatives. I have known other cases in which improper people have been appointed by the masters, and proved very disagreeable to the men. This is a question which ought not to be dealt with lightly, and now that it has been raised, I trust we shall settle it in a satisfactory manner. I am sure the Attorney General is anxious to deal with the question in the way we all wish. I trust he will consider the question with the view of adopting some such Amendment as that now proposed.

Question put, and *negatived.*

MR. DONALD CRAWFORD (Lanark, N.E.): I now beg to move, after Clause 7, in page 2, to insert the following clause:—"No deduction shall be made from a workman's wages for sharpening or repairing tools." This clause is based on the Report of the Inspector who was appointed by the Home Office to inquire into the practice of Truck in Scotland. That gentleman reported that the exactions of the masters on this head are very extravagant and exorbitant, and it seems to me that this clause is one which the masters themselves might very well assent to. A very heavy tax is levied on the workmen, and a very large profit is made by the masters out of the workmen's wages upon this head; and, without enlarging further on the subject, I trust the Government will accept the new clause I propose.

Clause (Deduction for sharpening and repairing tools,)—(*Mr. Donald Crawford,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. BRADLAUGH (Northampton): I trust the Government will accept this clause. It is exactly in the language of the Report made to the Home Secretary, and I think I can say nothing stronger in its favour than that.

MR. TOMLINSON (Preston): This clause illustrates one of the disadvantages of legislating for the whole country on a Report for a portion of the country only. Speaking for Lancashire, I can say it would be exceedingly unsatisfactory if this clause were adopted. I know instances in which men were left to sharpen their own tools, and they have come to the owners requesting that they would establish a system by which they should sharpen the tools. With regard to the question of profits, it is uncertain whether any profit is made by the masters—occasionally there is, and occasionally there is not.

MR. F. S. POWELL (Wigan): I can certainly corroborate what has fallen from my hon. Friend the Member for Preston (Mr. Tomlinson) as to the feeling in Lancashire. The feeling there is certainly in favour of retaining the law in its present condition. On examining the Report of Mr. Redgrave, which is in the possession of all of us, I can find no objection to the present law in principle. The only note he makes is—"The deduction in vogue in some parts of the country is excessive." That rather points to an alteration of practice, not to an alteration of law. I hope the Committee will reject this clause.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Of course, this is a practical question. It is not one on which Her Majesty's Government have any hard-and-fast views; and I will simply state how the matter strikes me. We understand that it is not intended by this clause to prevent a master making a bargain with his workmen, in pursuance of which the former should sharpen the tools. It is intended there shall not be power to make a compulsory deduction from the workmen's wages in respect to the sharpening of tools. Personally, I have very great doubt whether, under Section 23 of the Truck Act, as it now stands, such deduction can be made. There is power to make deduction for tools; but I understand that is for the supply, and not for the sharpening of tools. If, as I understand, the intention of the hon. and learned Gen-

tleman (Mr. Donald Crawford) is not to prevent bargains being made between masters and men for the sharpening of tools, but to prevent deduction for sharpening, I, personally, am quite prepared to support the clause.

MR. BRADLAUGH: The hon. and learned Gentleman has correctly interpreted the clause.

MR. AINSLIE (Lancashire, N., Lonsdale): I think that we on this side of the House are quite prepared to support the views of the Attorney General. If a distinction is made between compulsorily requiring the men to have their tools sharpened in the workshops of the masters, and the making of a bargain in respect to the sharpening of tools, this clause may be well inserted in the Bill.

MR. TOMLINSON: I am quite certain that in Lancashire there will be the greatest dissatisfaction if this clause is adopted. It is all very well to say a bargain can be made. But the clause as framed practically prohibits any such bargain.

MR. CONYBEARE (Cornwall, Camborne): I can assure the Attorney General that the practice of deducting from the wages of the men for the sharpening of tools does prevail, and has prevailed for a long time in Cornwall. [*Cries of* "Agreed!"] Let me offer a piece of evidence, which I think is well worth the attention of the Committee. In America tools are sharpened by the mine authorities, without any charge at all. It would be a very good thing if such a practice prevailed here.

Question put, and *agreed to.*

MR. KELLY (Camberwell, N.): I beg to move, as an Amendment to the proposed clause of the hon. and learned Member for North-East Lanark, to add the following words:—

"Nor shall any allowance be made, or any money become payable, to any workman upon his discharge, or upon his leaving the employment of any employer, for any time supposed or alleged by such workman to be occupied in sharpening or repairing any tools used by him whilst in the employment of such employer."

I think it only right that if no deduction is to be made from a workman's wages for sharpening and repairing tools no allowance should be paid to any workman for such process. One proposal is a complement to the other. Hon. Members are aware that this question of charging or paying for time occupied in sharpening and repairing tools forms a constant subject of complaint. I have constantly seen reports of cases brought before the Justices in which this matter has been raised.

Amendment proposed to the proposed new Clause,

At end, to add—"Nor shall any allowance be made, or any money become payable, to any workman upon his discharge, or upon his leaving the employment of any employer, for any time supposed or alleged by such workman to be occupied in sharpening or repairing any tools used by him whilst in the employment of such employer."—(*Mr. Kelly.*)

Question proposed, "That those words be added to the proposed Clause."

MR. BRADLAUGH (Northampton): I trust the hon. Gentleman will not insist on his Amendment. It would introduce complications into language which is now clear, and would really go beyond the question of Truck.

Amendment, by leave, *withdrawn.*

Question, "That the Clause be added to the Bill," put, and *agreed to.*

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move to insert the following, after Clause 7:—

"Where the use of a house is given to a workman as part of his wages, or let or demised to him at a lower rent than the full rent, in consideration of his services, or where a house is let or demised to a workman by an employer, on condition that the rent is to be deducted from the workman's wages, such workman shall not be bound to remove from the house unless he has received one month's notice of removal from the employer or his agent.

"Provided that when a workman leaves his employment voluntarily, he shall not be entitled to a longer notice of removal than he has given of his intention to leave the employment."

The object of this Amendment is this—House-rent is a recognized deduction under the existing Truck Act, and it is found that the power of making this deduction is used in many places in a somewhat oppressive manner. I wish to attach a reasonable condition to the making of deductions for house rent, and that is that a month's warning shall be given to a man before he is turned out of his house, unless he leaves voluntarily, when he shall not be entitled to a longer notice of removal than he

has given of his intention to leave the employment. The law, as it at present exists, gives an oppressive power to the employer, and enables him to put on the screw—enables him to put a man out on the road. Workmen so put out are sometimes unable to obtain other houses, and the knowledge that the employer possesses this power has an intimidating effect upon them.

(Clause (Notice of removal from house,) —(*Mr. Donald Crawford,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): There is a very serious objection to this clause, and it is that it deals with an entirely different question to the Bill—namely, the relations of landlord and tenant. The clause is not at all consistent with the Bill. It does not provide sufficient protection for the landlord. Supposing a workman leaves his employer's service for robbery, or fraud, or for gross negligence and carelessness. Under these circumstances, if it was necessary for a workman to receive a month's notice, that workman or his family might live in his employer's house rent free. The workman would have no wages, and would be unable to pay the rent. Again, when a workman leaves his employer, the latter might find it necessary to fill up the vacancy so occasioned, and to put another workman, at once, into the house.

Question put, and *negatived.*

MR. DONALD CRAWFORD (Lanark, N.E.): I now move the following Clause:—

"All sums deducted from the wages of any workman for any purposes allowed by the principal Act shall be applied towards such purposes respectively, and the workmen from whose wages the deductions have been made may appoint a person to whom all deductions other than house rent shall be paid for the purpose of distribution, and to whom the employer shall produce all books, vouchers, and documents necessary to show that all the deductions have been paid to such person.

"If no such person is appointed, once at least in every year the employer shall make out a correct account of the receipts and expenditure in respect of the deductions other than house rent, and submit the same to be audited by two auditors appointed by the workmen, and shall produce to the auditors all such books, vouchers, and documents, and afford them all such other facilities as are required for the audit.

"Provided that no deductions shall be made from the wages of any workman without his written consent."

I would earnestly appeal to the Government to give this clause their favourable consideration. It applies to the whole subject of deductions such as are permitted by the Truck Act. The complaint with regard to the deductions which are made is general—namely, that the workmen do not get fair play. Now, I am quite satisfied that in many cases the suspicion that the workmen do not get fair play is not well-founded; nevertheless, the suspicion exists; it is a serious thing, and it is perhaps natural, seeing that the workman has no means of knowing whether the deductions made from his wages are employed for his benefit or not. Surely, it is a very fundamental principle of justice, that when these sums are contributed by the workmen themselves for certain purposes specified by law, they should have the right to require an account of those sums, and a right to ascertain whether or not they have been fairly expended. I do not know whether the Attorney General has the fact in his recollection, but I should like him to consider that this clause is almost in identical terms with one which was introduced into a measure by the present Lord Aberdare when he was Mr. Secretary Bruce. That Bill was referred to a Select Committee, amended by that Committee and reported to the House containing, as I say, this clause which I now submit in almost identical terms. I think the clause explains itself, therefore I will not trouble the Committee by going through the matter.

Clause (Audit of deductions,)—(*Mr. Donald Crawford,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): If the view of this clause which I am about to present to the Committee does not commend itself to hon. Members conversant with this subject, no doubt they will add any explanation they may think necessary. I only rise for the purpose of stating how the matter strikes

us. It seems to us with regard to the second principle of the clause, it is reasonable and might be adopted. We should be prepared to accept the clause in these words—

"Once at least in every year the employer should make out a correct account of the receipts and expenditure in respect of the deductions other than house rent, and submit the same to be audited by two auditors appointed by the workmen, and should produce to the auditors all such books, vouchers, and documents, and afford them all such other facilities as are required for the audit."

That, I think, would be reasonable and proper. It is only right that at least once in every year the employer should make out a correct account in regard to deductions, and submit it to auditors appointed by the workmen. With regard, however, to the Proviso at the end of the clause, it seems to us to be altogether unnecessary, as it already appears in Clause 23 of the Truck Act. Our objection to the first part of the clause is because it states that the workmen may appoint a person to whom all deductions should be paid for the purpose of distribution, and to whom the employer shall produce all books necessary to show that all the deductions have been paid to him. That is introducing a third element, and is putting upon the employer a burden that ought not to fall upon him.

MR. DONALD CRAWFORD: I should be glad to move the clause in the form suggested by the hon. and learned Gentleman.

MR. BRADLAUGH (Northampton): The better way would be to withdraw the clause now, and to bring it up again on Report.

MR. CONYBEARE (Cornwall, Camborne): Does the hon. and learned Gentleman object to the first lines of the clause?

MR. TOMLINSON (Preston): I hope the hon. and learned Gentleman will not be in too great a hurry to accept this clause.

SIR RICHARD WEBSTER: Not the first part.

MR. TOMLINSON: Nor any part of it. Deductions from the wages of the workmen are made every week or every fortnight, and the workman should know then what deductions are fair. The workman receives his wages minus whatever is the proper deduction, and then is the time to complain if there is anything to complain about. The workman has plenty of opportunity of raising the question as to whether or not the deductions are right, but in this clause the employer is asked to keep a separate set of books to show him the whole of these deductions. Who is to bear the expense of that arrangement? It may cost a large employer of labour some £200 or £300 a-year. Hon. Gentlemen do not seem to know what wage sheets are when you pay by the week in anything like a large colliery.

MR. BRADLAUGH: Does the hon. Member mean to say that the pay sheets do not show the deductions at present?

MR. TOMLINSON: That is the reason why I oppose the clause. The pay sheets do show the deductions, and the time when the question of deductions should be settled, is when the wages are paid; but to say that you are to wait six months and then have the deductions set forth in a set of books is impracticable. The clause ought not to be accepted without having more information than is at present before us as to its necessity.

COLONEL BLUNDELL (Lancashire, S.W., Ince): I would ask the hon. and learned Gentleman the Attorney General to allow this matter to stand over until the Report.

SIR RICHARD WEBSTER: Very well.

THE CHAIRMAN: Does the hon. and learned Member (Mr. Donald Crawford) withdraw the clause?

MR. DONALD CRAWFORD: Yes.

Clause, by leave, *withdrawn*.

MR. CREMER (Shoreditch, Haggerston): I would ask permission to be allowed to move the new Clauses which stand on the Paper in the name of the hon. Member for West Nottingham (Mr. Broadhurst) as follows:—

"It shall not be lawful for any employer or his agent to make it a condition of the hiring that a workman's wages shall be liable to deductions to any fund, or to any benefit, charitable or provident institution from which a workman is not entitled to derive any benefit after he has ceased to remain in that employment.

"No deduction shall be made from a workman's wages for any work, materials, machinery, or tools which may have been spoiled or injured by him in the course of his employment, nor shall it be lawful for an employer to make it a condition of the hiring of a workman that he is willing to hold himself responsible for any such spoilage or injury: Provided

always, That such spoilage or injury has not been brought about by any act wilfully committed by the said workman himself, or in concert with any other person or persons."

"No deduction shall be made from a workman's wages for any time he may lose when employed upon piece-work, nor shall a workman employed upon time be liable to have deducted from his wages more than the actual value of the time lost at the ordinary rate of wages of the said workman.

"No deduction shall be made from a workman's wages for any fines imposed by an employer or his agent for any purpose whatsoever, nor shall it be lawful for an employer to make it a condition of the hiring that such fines may be imposed."

This is a matter upon which I feel very strongly. I have had some experience of deductions of the kind referred to in the first of these clauses—and my observations are more particularly directed to the first five lines of the proposal. It is a common practice on the part of employers to tell workmen when they enter their employ—irrespective of whether they belong to trade or benefit societies, and have made provision for themselves during sickness, death, or old age—it is a common practice for employers to compel their workpeople to subscribe to a fund varying from 2*d.* to 6*d.* per week. In the case of the building trade, to which I have belonged, it is a great hardship upon the workmen to be compelled to subscribe to this fund in addition to paying 6*d.* or 8*d.*, and sometimes even as much as 1*s.* per week, to their trade or friendly society. The employment in the building trade is of a very fluctuating character, and it frequently happens that a man is only employed for two, six, eight, or ten months—ten months, indeed, would be a long time to be employed by any one particular firm. Well, the workman who leaves at the end of his period of engagement does not receive a farthing out of the fund to which he has been compelled to contribute. When he is discharged he leaves all this money behind him. I call this a genteel system of robbery. I myself have felt it to be so, and it is very much objected to by large numbers of workmen.

Clause (Deductions not to be made for machinery, &c., spoiled,)—(*Mr. Cremer,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Mr. Cremer

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I hope this clause will not be read a second time. I believe, so far as I have been able to consider the matter, that it would be by no means an advantage to the workman. It would put a stop to many provident clubs and charitable institutions which the workmen desire to maintain. Though I respect and value the observations which come from the hon. Member (Mr. Cremer), for I know his experience, yet, so far as I can judge of the feeling of others who represent the working men, there is a very strong opinion against the acceptance of this proposal. I would point out that the second part of the clause declares that no deduction shall be made from a workman's wages on account of materials, machinery, or tools spoiled or injured by the workman. Such damage might result from carelessness, and the principle is one which we cannot possibly recognize.

MR. BRADLAUGH (Northampton): I trust the Committee will not accept this clause. I should feel it my duty to offer it the most strenuous opposition. Last year, before the Employers' Liability Committee, a great deal of evidence was taken upon this question, and it is clear that if the clause were adopted it would ruin a large number of societies which encourage thrift. I do not desire at this hour to weary the Committee with facts; but it appears to me that it would be a most disastrous thing for workmen to accept this proposal.

MR. F. S. POWELL (Wigan): I had the honour to be chairman of the annual meeting of the central association for dealing with the distress caused by mining accidents, which is composed of 220,000 men, with funds of £250,000, and I wish to inform the Committee that that association unanimously adopted a resolution condemnatory of this clause, and, indeed, of any clause interfering with the existing arrangements for collecting the contributions of miners' permanent societies.

MR. ARTHUR O'CONNOR (Donegal, E.): All that this clause proposes is that it shall not be lawful for an employer to make it a condition of the hiring that a man should be liable to deductions of this kind. I am prepared to admit that many of these societies, as to which we had a good deal of evi-

dence adduced, are doing a certain amount of good; but that is no reason why all the *employés* in certain trades, such as the building trade, should, as a condition of employment, everywhere and anywhere be obliged to submit to deductions for a fund to which they do not want to subscribe, and from which, when they leave their employment, they no longer derive the slightest benefit.

MR. A. J. WILLIAMS (Glamorgan, S.): I should be sorry to subscribe to the broad proposition of my hon. Friend behind me (Mr. Cremer). I have no doubt there may be a great number of provident societies which are very valuable, but I do very much distrust the idea of making deductions from wages compulsory under any circumstances. I cannot help thinking, therefore, that in the absence of the hon. Gentleman who has placed the clause on the Paper, it would be very desirable that the debate on this particular clause should be adjourned. I wish it to be understood that personally I entirely object to any proposal by which compulsory deductions should be made for this purpose.

MR. BRADLAUGH: I think the hon. Member (Mr. Cremer) hardly understands and appreciates the evidence we took upstairs. That volume of evidence is a rather bulky one. He would find there more reasons against this proposal than I dare put before the Committee now.

MR. CREMER: Against that volume of evidence and experience of the hon. Member for Northampton, I beg to pit that experience I have acquired from at least 25 years in the workshops of the Metropolis. I assure the Committee that I have known instances in which men have subscribed 1*s.* to their trade and friendly societies, and they have been every one of them compelled—perhaps as many as 100 of them together—to pay in addition 4*d.* or 5*d.* a-week towards a fund they had no desire to subscribe to. I have known them compelled to do this, or be discharged from their employment. It was a condition of their employment that they should pay that additional sum; then some time afterwards they were discharged, and did not receive one penny out of the fund to which they had subscribed. I know nothing of the evidence to which the hon. Member refers; but I think my own experience is more valuable than any amount of evidence which he may quote.

Question put, and *negatived.*

CAPTAIN HEATHCOTE (Staffordshire, N.W.): I beg to propose the insertion of the following Clause:—

"Every employer of labour in any mine or factory, on receiving notice in writing from any workman in his employ, that such workman desires to make a weekly payment to any club or friendly society, shall deduct such sum from the workman's wages and pay the amount to the agent of the club or friendly society, or to such other person as such workman may appoint, so long as he shall have no notice in writing from such workman to discontinue such payment."

In this clause I have endeavoured to put a workman more nearly on an equal footing in effecting these insurances with those who are richer than himself. The wealthy can effect their own insurance premiums by cheque for 1*d.*; but workmen, owing to the great expense of collecting 2*d.* or 3*d.* from individual workmen, usually pay about 15 per cent for management. If the Committee adopt this clause, the effect of it will be that workmen, by simply giving notice to their employer that they wish to have so much per week deducted from their wages for a club or provident society to which they may belong, will enable the whole sum to be collected in one lot. I believe this will tend very much to encourage men to contribute to friendly societies. It is one thing for a man to have to find change for half-a-crown to pay 2*d.* or 3*d.* to the agent who comes to the pit bank to ask him for it, and another thing to have the subscription deducted without trouble from his wages. The operation of this clause will enable friendly societies, provident societies, and the like, to make considerable reductions in the fees they pay to their agents for collection. It is with the object of reducing the cost of collecting the subscriptions to workmen's provident societies that I propose this clause.

Clause (Payments to clubs, &c., may be deducted from wages,)—(*Captain Heathcote,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I

only desire to point out to the hon. and gallant Gentleman that this clause is quite unnecessary. As the law at present stands, if a workman desires that his master shall deduct from his wages his subscription to a club or friendly society there is no difficulty in getting his master to do it. As the hon. and gallant Gentleman proposes that shall continue as long as no notice in writing to discontinue is given, this is practically only an enabling clause.

CAPTAIN HEATHCOTE: May I point out that the word "shall" is used. At present it is only voluntary on the part of the employer. Sometimes cases occur in which the relations between the employer and employed are not quite so harmonious as they might be, and employers decline to collect these contributions. Of course, if the collection is optional on the part of the employer it is obvious that all actuarial calculations are utterly upset, because there is an element of chance introduced, which makes it impossible to calculate what the expenses of collection may be. The essence of the clause is, no doubt, the word "shall."

MR. ARTHUR O'CONNOR (Donegal, E.): When a Conservative Member does desire to champion the working classes, he certainly does it thoroughly. This is one of the boldest and most sweeping proposals I have ever seen in print, for it practically amounts to this—that every employer can be turned into an agent for collecting subscriptions for every club and benefit society, and even trade union, throughout the Kingdom. I am very much tempted to follow the hon. and gallant Gentleman (Captain Heathcote) if he goes to a Division; but if I do, I am afraid I shall be found to be his only supporter.

Question put, and *negatived.*

Clause 3 (Workmen to be entitled to advance of portion of wages).

MR. TOMLINSON (Preston): I beg to propose the Amendment which stands in my name.

Amendment proposed,

In page 1, line 11, to leave out from the word "whenever" to the word "withhold," in line 17, and insert the words "by agreement, custom, or otherwise, a workman receives in anticipation of the regular period of the payment of his wages an advance as part of or on account thereof, it shall not be lawful for the employer to."—(*Mr. Tomlinson.*)

Question proposed, "That the words, 'whenever the period of payment of wages shall be longer than one week,' stand part of the Clause."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I think it will facilitate the consideration of this matter if I state how the matter stands. This is a postponed clause, and those who have any experience of the working of truck will readily acknowledge the difficulty of dealing with the matter with which the clause deals. I am free to confess that if it had been possible to introduce into this Bill some clause, which would be satisfactory both to workmen and employers, with regard to the compulsory payment of wages weekly, the Government would have been glad to accept such a clause; but when we come to consider the matter, we found that so many interests had to be consulted that the matter was one exceedingly difficult to deal with. We have endeavoured to make some satisfactory provision. It is that where there are payments made on account of wages they shall be paid in money, and that there shall be no deductions of any sort or kind in consequence of the payment in advance. That seems to us as far as we can go without opening up on this Bill a very large field of discussion. It will probably be for the convenience of the Committee that I should read how the clause will stand when the Amendments proposed by the hon. Member for Preston (Mr. Tomlinson) and the hon. Gentleman the Under Secretary for the Home Department (Mr. Stuart-Wortley) have been made. The clause, if amended as suggested, will read—

"Whenever by agreement, custom, or otherwise, a workman receives in anticipation of the regular period of the payment of his wages an advance as part of or on account thereof, it shall not be lawful for the employer to withhold such advance, or take any profit, discount, or interest, or make any charge or deduction, or impose any condition for or in respect of any payment of a part of wages required to be made by this section. (3.) Every contract made in contravention of this section shall so far as it is so in contravention, be illegal and void, and the workmen may recover his wages under such contract as if the illegal portion thereof had been made in conformity with this section. (4.) Every employer who, by himself or his agent, acts in contravention of this section shall be liable to the penalties imposed by section nine of the principal Act, as if he had been guilty of such an offence as in that section mentioned."

That is the effect of the different Amendments upon the Paper, and I think the Committee will agree with me that it represents the extent to which we can go without involving long debate. I hope the Committee will accept the clause as amended, even though it may not go as far as some Members may wish in reference to the payment of wages weekly.

MR. BRADLAUGH (Northampton): I desire to say that both the Government and the employers have devoted an immense amount of time and trouble in the endeavour to frame a workable clause. In Clause 3 I wished to avoid a state of things which is ruinous and demoralizing to the men; but I have found so many difficulties. I have found I touched so many trades injuriously, that I at once accept the Amendments of the hon. Member for Preston (Mr. Tomlinson) and of the Government. These Amendments make the clause provide that, whatever is the wage agreed to be paid in advance, there shall be made no excuse for extorting the enormous discount or interest which in some cases has been hitherto charged.

MR. DONALD CRAWFORD (Lanark, N.E.): I should like to say a word on this subject. I admit that the clause which the Attorney General has read may be a very good one indeed as regards poundage—that is to say, the system of charging interest on advances—which is one of the evils we are most anxious to stop. I regret that the hon. and learned Gentleman (Sir Richard Webster) has not seen his way to fix some term for the payment of wages. A week is the term which is very generally desired; but even supposing that a week is too short a fortnight would, I think, have been very generally accepted. I hope it is not too late to ask that before the Bill comes up on Report this problem to which the Government have given attention, and the importance of which they have acknowledged may be reconsidered.

DR. CLARK (Caithness): As it now stands the Bill will not affect the worst form of truck we have, and if this is the Bill we are to have I shall vote against it. I have already called the attention of the right hon. Gentleman the Home Secretary (Mr. Matthews) to the condition of things in regard to the slate quarries in my county. The men employed in those quarries are paid every three months, and after this Bill passes they will be paid every three months, or rather their wages will be calculated every three months, and then they will wait a month more before being paid. A man has to work in these slate quarries four months before he gets his first wage. The foreman owns a store, and compels the people to buy from him, getting his own price. You are now passing a Bill for the purpose of preventing evasion of the Truck Act; but the Bill does not effect its object. It is a farce to carry the Bill in its present form. Give us monthly wages, and we will take them, but we will not have the question evaded.

MR. ARTHUR O'CONNOR (Donegal, E.): I am glad the Government have thought it necessary to take this question up. In the Coal Mines Bill of last year one of the clauses was drawn for the purpose of meeting this very mischief. It is matter of serious doubt whether the clause read by the hon. and learned Attorney General (Sir Richard Webster) can possibly meet the mischief. As I understand the clause, as proposed to be amended, it is necessary that there should be some custom established.

SIR RICHARD WEBSTER: Agreement, custom or otherwise.

MR. ARTHUR O'CONNOR: You are trying to establish a custom which is not a custom. Then, again, though you may do away with deductions, how are you to prevent an employer alleging he has not made an advance of wages, but made a loan to the workmen? You will have all sorts of difficulties cropping up, and you will never get rid of them until you make it compulsory to pay wages at short periods. You will substantially get rid of the difficulty if you make payment fortnightly compulsory. But if you make payments monthly or every two or three months, surely you will have all the mischief of truck just as much as ever.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): It will be illegal for the employer to attempt to deduct interest for payments in advance. As regards slate quarries, I may say it is the difficulty of meeting the case of slate quarries which caused the Government to give up as hopeless the attempt to import into this Bill a provision making the payment of wages

at stated terms compulsory. Men employed in slate quarries are paid according to the result of their labour, and, therefore, they have to wait until the results are ascertained. It is often impossible to say in the first month of a man's engagement what the result of his work is.

MR. BRADLAUGH: It is right I should add that the objections which were raised to the clause, as I proposed it, were not raised by the employers alone. A large number of working men represented to me that the clause would affect them injuriously, and that has had great influence upon me in accepting the Amendments of the Government, and of the hon. Member for Preston (Mr. Tomlinson).

MR. CONYBEARE (Cornwall, Camborne): I think the difficulties in this matter have been very greatly exaggerated. I am not going to oppose this clause, because it seems that, as far as it goes, it is perfectly harmless. It seems that by a judicious system of compromise the whole of the benefit of this Bill is being watered down. In course of time the Bill will be perfectly valueless, and we shall have all the work to do over again next Session. Now, in Cornwall we understand the system of payment by results perfectly. We have been taking evidence respecting it during pretty nearly the whole of this Session. The system of long contracts is one which has prevailed in Cornwall from time immemorial; and the demand of the miners of Cornwall, at the present time, is not merely that they should have their wages paid to them in money much oftener than once a-month, but that they should have something paid to them at the end of every week. The payment of something weekly is not so difficult as hon. Members who have no practical acquaintance with the subject seem to think. It is perfectly possible, even in the case of such a curious system of work as mining in Cornwall is said to be—under which system men are paid according to the result of their work—to estimate approximately what is due week by week, or fortnight by fortnight. As I said before, I do not wish to oppose this clause; but I do appeal to the Government, and to hon. Gentlemen on both sides of the House, whether, as this clause admittedly contains a great deal of contentious matter, it would not be desirable to adjourn the discussion? [*Cries of* "No, no!"] I have no objection at all to assist in passing this clause if we shall be granted an opportunity of dealing with the subject more thoroughly, say, on the Report stage.

MR. CHANCE (Kilkenny, S.): I understand that the evil against which we are especially desirous of making provision is the evil of having workmen kept without wages for months together, in consequence of which they are practically left to starve.

MR. BRADLAUGH: That is not the point. The object of this clause is to prevent the enormous interest and discount charged for advances, amounting, in many cases, to 300 and 400 per cent.

MR. CHANCE: If the men were paid at regular intervals interest or discount would not be charged. The amended clause does not attempt to deal with the mischief. I can appeal to the hon. Member for Belfast (Mr. Sexton), who will tell the Committee that quite lately—within the last few weeks—an enormous number of men went on strike simply because they objected to fortnightly wages, finding them oppressive. The clause will prevent advances upon wages being made subject to usurious transactions. It can be very easily evaded, however. All the employer has to do is to make an independent advance, and to take the workman's I O U, or something of that sort. I deny that by any legal proceeding whatsoever can any employer be punished for making an advance, and taking 20, 30, or 40 per cent interest upon it. The clause does not attempt to deal with the real evil, or even with the secondary evil.

MR. BRADLAUGH: The Bill says that the employer shall not withhold an advance, and that he shall not charge interest upon it.

MR. CHANCE: That does not make the slightest difference. There is nothing to prevent an employer from making an independent advance, and we know that men can be coerced by starvation into accepting these advances. The clause may be completely evaded, and we are, therefore, now discussing a proposal which does not touch the real evil.

DR. CLARK: Perhaps the right hon. Gentleman the First Lord of the Treasury

(Mr. W. H. Smith) will now agree to Progress being reported. This is a most important clause which we are now discussing. We have heard it read by the hon. and learned Gentleman the Attorney General (Sir Richard Webster) in manuscript form, and we need some time to consider it. The clause has been put off from time to time. We are now going to discuss it, and the hon. Gentleman the Under Secretary for the Home Department (Mr. Stuart-Wortley) seems to be contending for two things which ought to be kept quite separate—namely, the men who do piece work and the men who get weekly wages. We only refer to those who are working for a definite weekly wage, and not those who are doing contract work. I really think this matter deserves further consideration at a more convenient time. I move, Sir, that you report Progress and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Clark.*)

SIR RICHARD WEBSTER: I think the Committee will agree that though this clause may be worth very little, it is, at any rate, a step in the right direction. If it is passed to-night it will be reprinted, and hon. Members will have no difficulty in forming an opinion as to its terms. If hon. Members opposite will bring their great abilities to bear upon the framing of a clause which will be acceptable to employers and workmen we should only be to glad to accept it.

MR. BRADLAUGH: I trust the hon. Member for Caithness (Dr. Clark) will not press his Motion for reporting Progress. It might be absolutely fatal to the Bill if any further delay were to take place. I have been waiting for 21 days for an opportunity of making progress with this Bill. It cannot be said that these Amendments have come upon hon. Members by surprise for they have been on the Paper for the whole of that period; and if hon. Members who are interested in the working men are not acquainted with this matter they have no right to plead their own ignorance.

MR. CONYBEARE: I hope the Motion to report Progress will be withdrawn. If we have an opportunity of expressing our views further on the Report stage there will be no difficulty in amending this clause. As to our exercising our great abilities in the settlement of this question, I would point out to the hon. and learned Gentleman the Attorney General that in a Committee upstairs we are endeavouring to settle this question so far as Cornwall is concerned, and that we have this Clause 3 in the amended Bill.

THE CHAIRMAN: The hon. Member for Camborne (Mr. Conybeare) is unaware of what has been done. This 3rd clause has been postponed throughout. It is now taken up for the first time, and we are now considering the first Amendment to it on the Paper.

MR. CONYBEARE: I know that; but we are taunted with being the Representatives of working men and not knowing what is being done. If the Amendment of the hon. and learned Attorney General is a rehash of all the 10 Amendments on the Paper I say we are not being fairly treated. I cannot assent to the view that we have had this Amendment on the Paper before. We had the impression that the hon. and learned Attorney General's proposal was practically a new one, and we had a right to be under that impression.

DR. CLARK: I still press my Motion that you report Progress, Sir, and for two reasons, first because a large number of Members who are interested in this matter are not present——

MR. BRADLAUGH: That is not so.

DR. CLARK: My next reason is that all we have heard from the hon. and learned Attorney General to-night as to this important clause is, how it will read if you adopt the numerous Amendments on the Paper in the name of the hon. Member for Preston and the hon. Member for Sheffield, and other Amendments. I think that instead of adopting Amendments in that way we ought to discuss them in detail. We have no time at 10 minutes to 3 o'clock in the morning to do that.

MR. ARTHUR O'CONNOR (Donegal, E.): These Amendments are really Amendments relating to what is, perhaps, the most important question in this Bill. It is the question of the dependence of the workmen upon the employer for the money advanced, and with that dependence of every kind follows. The hon. and learned Gentleman the Attorney General read us what he tells us is

a boiling down of some 10 different Amendments; then we are given to understand that these words have been upon the Paper for 21 days. Well, I defy anyone to have listened to the hon. and learned Gentleman and to have been able to gather how much of this Amendment was inserted in his clause, and how much omitted. It appears to me to be establishing a bad precedent that upon a matter of first class importance there should be sprung upon the Committee at 3 o'clock in the morning what purports to be the final decision of the Government in the shape of an Amendment which is not upon the Paper. It is perfectly evident that the hon. Member for Caithness (Dr. Clark) will not be able to obtain a majority for his Motion; but if he carries it to a Division I shall support it by way of protest against what I think is a very dangerous and mischievous course.

Question put, and *negatived.*

Original Question again proposed.

DR. CLARK (Caithness): I would move as an Amendment to the proposed Amendment to add after the words "regular period," the words "not more than fourteen days."

THE CHAIRMAN: If the hon. Member wishes to amend the words it is proposed to put in, he must wait until the words from "whenever" are left out.

Question, "That the words 'whenever the period of payment of wages shall be longer than one week,' stand part of the Clause," put, and *negatived.*

Question proposed, "That those words be there added."

Amendment proposed to the proposed Amendment, after the word "period" to insert the words "not more than fourteen days."—(*Dr Clark.*)

Question proposed, "That those words be inserted in the proposed Amendment."

MR. DONALD CRAWFORD (Lanark, N.E.): I hope the hon. Member for Caithness will not persist in this Amendment. I sympathize with his object, and I trust that before the Report stage the Government will deal with the matter. The Royal Commission in 1872 declared that long pays were at the bottom of the truck system. The Government themselves proposed to fix a weekly term of payment, and the decision of the hon. and learned Attorney General to drop this provision, or any corresponding provision, has come upon everyone as a complete surprise. I think it ought not to have been sprung upon us in the way it has been. I doubt whether the Amendment of my hon. Friend the Member for Caithness would effect the object he has in view, but I trust the Government will bring the matter up again on Report.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): There was no clause dealing with this matter in the Bill as originally introduced. Several attempts have been made to put a satisfactory Amendment on the Paper. The Government endeavoured to frame a satisfactory clause, but failed because of the different views taken on both sides of the House. Then independent Members tried and failed. All I ask is that hon. Members will allow the clause to be introduced into the Bill and to be printed. I say again, if skilled Gentlemen will bring in a clause which will be satisfactory to both Parties, it shall be favourably considered and incorporated in the Bill.

MR. BRADLAUGH: I carefully avoided fixing any time whatever in the Bill as first drawn. I agree with what the hon. Member for North-East Lanark has said that so long as there are long pays we shall always have evils connected with the truck system to complain of. The Government met me in a very fair spirit, and drafted a clause making weekly payments necessary; but it was not possible to carry that proposition.

MR. CONYBEARE: I do not blame the Government; but I think we have a right to protest.

THE CHAIRMAN: The Question is, "That those words be there inserted."

MR. CONYBEARE: Yes; but in order to enable myself to give a vote I wish to ask a reasonable question of the Government. I understand we have been discussing a manuscript Amendment of the hon. and learned Attorney General.

SIR RICHARD WEBSTER: No, no!

MR. CONYBEARE: Then what did the hon. and learned Member propose?

SIR RICHARD WEBSTER: I brought up no Amendment. I thought

it would be an assistance to hon. Members if I read all the Amendments together. I, therefore, put them down in manuscript form and read them to the Committee—a course which is very frequently adopted. I stated so to the Committee at the time I was reading the Amendments.

DR. CLARK: I will not press my Amendment.

Amendment to Amendment, by leave, *withdrawn.*

Question again proposed.

MR. CHANCE (Kilkenny, S.): The hon. Gentleman the Under Secretary of State (Mr. Stuart-Wortley) has said that in the case of certain quarries no advance is made, because no effective work is done for the first month or so. These are the gross cases at which we wish to aim. In regard to these cases, the proposed words give no remedy whatever. I look upon the Amendment as absolutely useless. You might as well strike out Clause 3 at once. The clause will throw enormous difficulties in the way of the workmen, and, in future, employers will take good care to make no agreement to make any advances to their workmen.

Question put.

MR. CHANCE: The Noes have it.

THE CHAIRMAN: I may point out to the hon. Member that unless these words are inserted the whole clause will be nonsense.

Question again put.

MR. CHANCE: The Noes have it.

THE CHAIRMAN: Can the hon. Member for South Kilkenny name a second Teller?

MR. CHANCE: Dr. Clark.

The Committee *divided:*—Ayes 86; Noes 8: Majority 78.—(Div. List, No. 271.) [3.5 A.M.]

On the Motion of Mr. TOMLINSON, the following Amendment made: — In page 1, line 18, leave out the first "or."

On the Motion of Mr. STUART-WORTLEY, the following Amendments made: —In page 1, line 18, after "discount," insert "or interest"; in same line, leave out from "whatever" to "shall," in line 21, and insert—

"Or impose any condition for or in respect of any payment of a part of wages required to be made by this section.

"(3.) Every contract made in contravention of this section shall, so far as it is so in contravention, be illegal and void, and the workman may recover his wages under such contract as if the illegal portion thereof had been made in conformity with this section.

"(4.) Every employer who, by himself or his agent, acts in contravention of this section;"

and in line 22, after "Act," add—

"As if he had been guilty of such an offence as in that section mentioned."

Clause, as amended, *agreed to*, and *added.*

Schedule *agreed to.*

Bill *reported;* as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 299.]

EDUCATION (SCOTLAND) ACTS AMENDMENT (NO. 2) [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of a contribution towards the Expenses in respect of any children that may be sent to certified day industrial schools in Scotland under the provisions of any Act of the present Session to amend the Education (Scotland) Acts, 1872 to 1883.

Resolution to be reported *this day.*

MOTION.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) ACT (1881) AMENDMENT BILL.

On Motion of Mr. Buchanan, Bill to amend "The Presumption of Life Limitation (Scotland) Act, 1881," *ordered* to be brought in by Mr. Buchanan, Mr. Asquith, Mr. Bryce, Mr. James Campbell, and Mr. Fraser-Mackintosh.

Bill *presented*, and read the first time. [Bill 300.]

House adjourned at a quarter after Three o'clock.

HOUSE OF COMMONS,

Wednesday, 29th June, 1887.

MINUTES.]—SELECT COMMITTEE—*First Report*—Public Accounts [No. 201].

PRIVATE BILL (*by Order*) — *Third Reading* — Westminster (Parliament Street, &c. Improvements), and *passed.*

PUBLIC BILLS — *Ordered* — *First Reading* — Dublin Hospital Board, &c.* [302].

First Reading—Pluralities Act Amendment * [303].

Considered as amended—Criminal Law Amendment (Ireland) [290] [*Third Night*], *debate adjourned.*

PROVISIONAL ORDER BILLS — *Report* — Local Government (No. 5) * [280]; Local Government (No. 6) * [281]; Local Government (No. 8) * [286]; Local Government (Ireland) (Killiney and Ballybrack) * [275]; Public Health (Scotland) (Cowdenbeath Water) * [289].

ORDER OF THE DAY.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[BILL 290.]

(*Mr. Arthur Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

CONSIDERATION. [ADJOURNED DEBATE.]
[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Question,—on Consideration of the Bill as amended,—[28th June], "That the Clause (Procedure on application for sureties of the peace,)—(*Mr. Chance,*)—be now read a second time."

Question again proposed.

Debate *resumed.*

COLONEL NOLAN (Galway, N.) said, he should support the clause, which mitigated the severity of a very harsh enactment, which constituted a grave abuse of criminal procedure. The case of Father Fahy was a case in point. It was a very objectionable thing that Father Fahy should be bound over to keep the peace. In his case it was merely the evidence of one man on oath against Father Fahy's word. If Father Fahy could have been examined and cross-examined, he would probably not have been sent to gaol.

MR. CLANCY (Dublin Co., N.) said, it was remarkable that it was on this particular clause that the First Lord of the Treasury had given Notice of his second gagging Resolution. Surely he might have chosen a more fitting opportunity. He could assure the Government, however, that Irish Members would take care that this fact was brought home to the minds of the people of England, who would be shown the reason for this procedure.

MR. SPEAKER: Order, order! The hon. Member is not entitled to discuss upon this clause the general Question or the Resolution of which Notice was given last night.

MR. CLANCY: I will not say any more on the subject. I was about to finish the point by saying——

MR. SPEAKER: Order, order! I have told the hon. Member that he is out of Order, and I expect he will obey my ruling.

MR. CLANCY said, he would not further pursue the subject. He contended that the clause would take out of the hands of the Government one of the rusty weapons of despotism which the tyrannical practice of Dublin Castle in recent years had brought out of the obscurity in which they had lain for centuries. The refusal of the Government to accept this Amendment simply meant that they wished for a suspension of the Habeas Corpus Act. The exercise of powers in Ireland in recent years, which had been long obsolete in this country, had amounted to a virtual suspension of that Act. In 1880 and 1881 several ladies, and even priests, who had taken up the work of helping evicted tenants in Ireland, had been called upon as bad characters to give bail, and, on refusing thus to admit the imputations against them, had been imprisoned without any charge being brought againt them, much less proved. It was not too much to ask that if this power of holding persons to bail, and, in the event of their refusing to give bail, sending them to gaol, was to be revived, a *primâ facie* case should first be made out by the prosecutor. So much for the first sub-section of the proposed clause. The second sub-section of this clause really proposed to assimilate the practice of the Superior Courts to the practice which existed in the Inferior Courts at the present moment. What they asked was that this practice which now existed in the Inferior Courts of allowing the accused to give evidence in his defence should be available to the accused in the Superior Courts also. Anything more absurd and intolerable on the part of the Government than refusing an Amendment of this description, he could not imagine. The safeguard was a reasonable one, and he warned the Government that these refusals to listen to reason or to answer the appeals of Irish Members would hereafter, and possibly in the near future, re-act upon themselves, and, he trusted, disastrously, both for them and for the infamous cause which they were now engaged in maintaining.

DR. COMMINS (Roscommon, S.) said, that the title of this Bill was a misnomer, as it was called a Bill to amend the Cri-

minal Law; whereas, so far from amending that law, it in effect took away all Criminal Law in Ireland, and gave large and arbitrary powers to the Lord Lieutenant to do what he liked against persons belonging to any association, and without being put upon their trial. The Bill would take away in Ireland all the protection which was given in England by law. If this Amendment were not accepted, it would be possible for anyone who bought a copy of *Parnellism and Crime* in Ireland to have the hon. Member for Cork (Mr. Parnell), or anyone else mentioned in that pamphlet, brought before a magistrate, who might call upon him to give security to any amount. He contended that, in order to prevent the arbitrary use of this power, which was rarely, if ever, put in force in England, except against offenders of the lowest class, and where threats of violence to person or property had been used, a clause of this nature ought to be introduced in the Bill. He, therefore, appealed to the Government to accept the principle of it. The great want in Ireland was something like a good understanding between the Government and the people. At present they were separated by a chasm as wide as the Atlantic. The people distrusted the Government and the Government distrusted the people. Let the Government show that they were animated by an intention to suppress crime and to preserve law and order, as they could, by accepting this clause, and something would be done to bring about a better understanding between them and the Irish people.

MR. FLYNN (Cork, N.) said, that the attitude of the Government towards this Amendment afforded the strongest possible confirmation of the fact that the policy of exasperation which this Bill proclaimed in Ireland was preceded by the exasperating policy of the brute force of numbers in that House. The Government could not allege that there was anything in this clause contrary to the maintenance of law and order or to the spirit of equity and justice. On the other hand, it could not be denied that many cases which had occurred proved the necessity for limiting the power of magistrates to bind persons over to keep the peace.

MR. MAURICE HEALY (Cork) said, he could quite understand the tactics Ministers were adopting on all these Amendments. No matter what was proposed by Irish Members a brief reply was given from the Treasury Bench, and the servile lot who followed the Government had the word passed to them to keep their lips sealed. The object of this conspiracy of silence was perfectly plain—namely, to impress the public outside with the belief that the Amendments proposed by the Irish Members were unworthy of their serious attention.

MR. SPEAKER: Order, order! I must ask the hon. Gentleman to confine himself to the clause before the House. At present he has not addressed a single word to the clause.

MR. MAURICE HEALY said, he regretted that he should have been tempted to irrelevancy. No person ought to be called upon to give recognizances to keep the peace unless it could be proved that he had committed a criminal offence. In Ireland, under the existing law, a man might be bound over to keep the peace because a magistrate did not like the colour of his hair. The exercise of such a power on the part of a magistrate was practically unknown in England. This power might be abused and might take the form of persecution. The magistrates in England had power to bind people to keep the peace; but only in cases where threats or molestation had been used. The Government could not pretend that once they had got this Act, with all the enormous powers which it conferred upon them, which vested the administration of the whole Criminal Law in Ireland in the hands of two or three——

MR. SPEAKER: I must remind the hon. Member that he is repeating the same arguments in the most tedious manner, and I must warn him seriously.

MR. MAURICE HEALY said, he regretted if he had been guilty of transgression; and, in conclusion, said that the passing of this measure would furnish a very convenient opportunity for putting an end, in its obsolete form, to the power to which he had referred.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he must earnestly protest against the conduct of hon. Members opposite. He would not enter into the question whether the particular clause which had been debated for three hours was

important or not, because whether important or not it had no connection whatever with the subject-matter of the Bill. Therefore, if hon. Members insisted on still debating the clause, knowing that the time which could be given to the discussion of the Bill was limited, the only conclusion which could be drawn was that they did not want that the really important questions connected with the Bill should be discussed at all. He would not take up any more of the time of the House; it was sufficient that he should have stated the view which the Government took of the matter.

MR. M'CARTAN (Down, S.) said, he thought a speech like that just delivered by the Chief Secretary for Ireland would not surprise any Member sitting on those Benches. The right hon. Gentleman came into the House a few minutes before 2 o'cock, sat down for a moment or two, and then complained of the length of the discussion, although the Irish Members had been sitting for two hours arguing in vain, with a single occupant on the Government Benches. Yet when the right hon. Gentleman did favour them with his presence, he never condescended to notice a single argument put forward from the Benches opposite. He thought that the Irish Members ought to congratulate themselves on the contribution to this debate made the previous night by the First Lord of the Treasury. He thought that contribution——

MR. SPEAKER: Order, order! Reference to what passed last night is not in Order.

MR. M'CARTAN: Do I understand the reference to the discussion on this particular clause is not in Order?

MR. SPEAKER: But the hon. Gentleman is not referring to that—he is referring to the action of the First Lord of the Treasury.

MR. M'CARTAN said, the Irish Members were only asking what was fair and reasonable—namely, that there should be no punishment without a conviction. They perfectly well knew how the arbitrary power which would be placed in the Judges and magistrates of these Courts would be exercised if no limitation were imposed. The Bench in Ireland was composed chiefly of landlords and their supporters, and he asked what chance had a peasant before such men of showing that he ought not to be bound to be of good behaviour. It would be seen, from a report in *The Freeman's Journal*, how the County Court Judge in Kerry disregarded the jurors of the Court and attempted to use his powers arbitrarily. If Judges acted in this way, how could they expect the rank and file of the magistrates to act differently? He might also point out that persons under the head of "nobility" were exempted from being bound in recognizances, so that magistrates would have no power to deal with a noble rack-renter or a noble ruffian, no matter how such a member of the nobility might oppress or abuse the people. If the Government had not come to the conclusion that they would deal with this matter in the manner of the right hon. Gentleman, who had popped into the House and then popped out of it, they ought to be prepared to give some reasons—if they had any—for not accepting so reasonable a clause.

MR. EDWARD HARRINGTON (Kerry, W.) said, he thought it was scandalous that during the discussion on a Bill of that character not one single Member of the Government thought it right to stay in his place to listen to the arguments which might be advanced in support of any of the Amendments.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. EDWARD HARRINGTON, resuming, said, he supposed the next step would be for the Government to move the closure——

MR. SPEAKER: The hon. Member must proceed to discuss the clauses.

MR. EDWARD HARRINGTON: I am doing so, Sir.

MR. SPEAKER: The hon. Member is not doing so.

MR. EDWARD HARRINGTON, continuing, said, that he had commented on the absence of any Member of the Government from the House, but he would then deal with the clause under consideration. He maintained that experience showed that the Government officials would bring against innocent persons flimsy charges which they would never have the courage to take into open Court, knowing that they had not a leg to stand upon; and yet the accused persons might not only have those charges kept hanging over their heads for years,

but might be held all that time under a rule of bail to be of good behaviour, although the trial never came off. In Ireland, he argued, that rule of bail was used not to prevent a breach of the peace that was really apprehended, but to prevent the due exercise of the political rights which belonged to every citizen. In one district of the County of Kerry there were very numerous cases in which the magistrates called on members of the National League to show cause why they should not be bound over to be of good behaviour, and the result was that those men were afraid to exercise their ordinary right of attending public meetings or joining legitimate combinations, because the heavy recognizances which they and their sureties had entered into would be estreated if they did so. The object of the magistrates in those cases was to deter the men from taking part in Constitutional agitation; and the natural effect of those arbitrary proceedings was to drive the people into secret organizations and unconstitutional action.

Question put.

The House *divided:*—Ayes 103; Noes 158: Majority 55.—(Div. List, No. 272.)

MR. MAURICE HEALY (Cork), in rising to move the following new clause:—

(Certain offences to be felonies.)

"Where an offence under any of the provisions of the Whiteboy Acts is punishable by any term of imprisonment exceeding two years, such offence shall, for the purpose of any trial had pursuant to the provisions of section three or section four of this Act, be deemed to be a felony,"

said, that the offences in question were misdemeanours which, as regarded mode of trial, challenge of jury, and procedure generally, were distinct from felonies. Yet these offences were punished as heavily as felonies, and he contended persons charged with them should have the same safeguards as persons accused of felony. The punishments, for example, under the Whiteboy Acts were most severe, even for offences of a comparatively trivial character. Then the taking of an unlawful oath, printing, writing, or publishing notices for an unlawful assembly, and other relatively small offences, were punishable with not less than five and not more than seven years' penal servitude, while graver crimes, such as attacking dwelling-houses and rioting, were visited with penal servitude for life. Under the law as it stood, if a prisoner were tried for one of these grave offences, he had only the right to six challenges; whereas if he were charged with a felony, for which the punishment would be much less, he would have twenty challenges. He considered that this was a disadvantage against a prisoner which ought to be removed. The draftsman of the Bill, with malignant ingenuity, had shut out prisoners charged with Whiteboy offences under the Act from whatever rights they would have had under the ordinary law if charged with a felony, such, for instance, as the right of challenging jurors.

New Clause (Certain offences to be felonies,)—(*Mr. Maurice Healy,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) said, all allusions to Whiteboy offences had disappeared from the Bill as it now stood before the House. When the Bill was first introduced Whiteboy offences were made cases of summary jurisdiction punishable with six months' imprisonment; but the clauses were dropped, and accordingly this Amendment was one which had no reference whatever to a single line of the Bill before the House. For that reason alone it would be impossible for the Government to accept the Amendment. He was glad the hon. Member admitted the grave character of many of the Whiteboy offences, as hon. Members opposite, even those above the Gangway, had spoken as if they were all of a trivial character. The effect of the Amendment would be to make the administration of these Acts impossible. The first Whiteboy Act was passed in 1775-6, and the second of these Acts was supported by so good a patriot as Mr. Grattan. He did not know whether any Gentleman opposite had ever been present at a Moonlighter's trial. It often happened that a dozen Moonlighters were caught red-handed, and yet the invariable *alibi* was sworn to by many witnesses. If in such cases the accused had separate challenges trials would never be finished. Accused persons in England had no right of challenge at all. Then, by expressly limiting the clause to Sections 3 and 4,

the hon. Member would produce the absurdity of giving prisoners in a proclaimed district a larger right of challenge than those in an adjoining county would have where there was no Proclamation.

MR. CHANCE (Kilkenny, S.) said, the hon. and learned Gentleman was wanting in respect to the Chair in saying that the Amendment had no reference whatever to a line of the existing Bill, for he should know that the Chairman would would not have allowed any irrelevant Amendment to be moved. The hon. and learned Gentleman, too, appeared to have forgotten the terms of his own Bill when he said all allusion to the Whiteboy Code had been dropped from the Bill. Under the 7th clause it lay in the power of the Lord Lieutenant to declare any assembly of the members of any association as illegal, and an unlawful assembly was illegal under the Whiteboy Act. The Irish Members had never denied that many of the Whiteboy offences were of a very serious character. It was true that the Whiteboy Code was passed by an Irish Parliament, but it was passed only as a temporary measure; and the hon. and learned Gentleman might have gone on to say that one of the first acts of the United Parliament of Great Britain and Ireland—the Parliament of equal rights and privileges—was to make this infamous Code, with all its imperfections, a permanent Code. The Criminal Code introduced by a Conservative Government in 1879 contrasted very favourably in the justice of its provisions to accused persons with the Bill before the House.

MR. MAC NEILL (Donegal, S.) supported the Amendment. It would be possible, under the provisions of the Whiteboy Acts, in conjunction with the provisions of this Bill, to put into the dock a large batch of men, and, by treating them collectively, to restrict their right of challenge to six cases. While a person charged with a misdemeanour had only six challenges in the empannelling of a jury, he would have 20 peremptory challenges if charged with a felony, with which he could be charged under the 3rd and 4th clauses; and it was a most cruel thing to the prisoner to describe as a misdemeanour what was really a felony, and what was punished as a felony, and thereby deprive the unfortunate man of his rights to challenge his bitterest enemy from going into the witness box. This was manifestly unfair, and the refusal of the Government to accept the safeguard which was now proposed showed conclusively that their object in passing this measure was, not the investigation of truth, but the annihilation of political opponents.

DR. COMMINS (Roscommon, S.) said, that every possible precaution ought to be taken to insure the fair trial of cases. One obvious and most important precaution was to give to prisoners an effective right of challenge.

Question put.

The House *divided:*—Ayes 105; Noes 141: Majority 36.—(Div. List, No. 273.)

MR. CHANCE, in rising to move the insertion, after Clause 11, of the following Clause:—

(Cumulative sentences prohibited.)

"No court of summary jurisdiction acting under the provisions of this Act shall award more sentences than one, in respect of the same matter or transaction."

said, that his object was to prevent cumulative sentences. Before magistrates in Ireland one offence was often ingeniously divided and thus given a dual character. One case had come under his notice in which a man was in this manner deprived of his right of appeal. Had the offence with which he was charged been treated as one offence, the punishment must have been imprisonment for more than a month, and the prisoner, consequently, would have had a right to appeal. In order to deprive him of that right, and at the same time to inflict a heavy punishment, the magistrates split up his one offence into six offences, for every one of which they awarded him a month's imprisoment.

Clause (Cumulative sentences prohibited,)—(*Mr. Chance,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, that the English Jurisdiction Act of 1879 did not cover the proposal made by the hon. Member. An English Court of Summary Jurisdiction had the power of imposing cumulative sentences in respect of offences, but limiting the punishment to assaults committed on different persons on the same occasion. It would, in these circumstances, be improper for

the Government to accept the clause. They could not agree to attach a stigma to the Court of Summary Jurisdiction in Ireland in respect of cases arising under the Bill, when other cases were not limited by such a condition as the hon. Member sought to impose in other parts of Ireland. It would, besides, be extremely difficult to define what was covered by the term "the same transaction."

DR. COMMINS said, the "same transaction" under this Act might mean five different offences, and for each of these offences a punishment of six months' imprisonment might be awarded. The Amendment was a reasonable and necessary one, unless the Government were anxious to get rid of the protection given by the Common Law—*Nemo debet bis vexari pro una et easdem causa.*

MR. O'HEA (Donegal, W.) said, he had been professionally engaged in County Cork in defending a young man who, when the parish priest had been removed in custody and a concourse of people assembled, advised the people to go peaceably home. That young man was charged with being a member of a riotous and disorderly mob. Six prosecutions were instituted against him by six different policemen, and Captain Plunkett dealt with each case summarily, and gave a sentence of a month in each case, making six months in all. If Her Majesty's Government refused to accept this clause, it would only show that they intended to make this measure a whip of scorpions with which to lash the people of Ireland.

MR. LABOUCHERE (Northampton) said, it was unfair for the Government to meet the attempts of the Irish Members to amend the Bill by quoting the English law. There was no analogy. This Bill dealt not with ordinary but with extraordinary law. It was to be administered by retired military officers, who knew nothing about law; and new offences were created which required careful limitation. Supposing a man was arrested for opposing the police, the magistrate might say he had assaulted five policemen, and give him six months for each assault. Why should not the whole affair be considered as one transaction?

MR. M. J. KENNY (Tyrone, Mid) said, the Solicitor General had quoted the English Act with approval; would he have any objection to accept the clause in the words of the English Act? In his (Mr. M. J. Kenny's) opinion, some such safeguard as was now proposed was required in the case of so stringent a law, which was to be administered by a prejudiced body of men like the Stipendiary Magistrates.

MR. MAURICE HEALY (Cork) said, that when the English Act was before the House in 1879, Mr. Cross, now Viscount Cross, on the part of the Tory Government, pledged himself that a similar Act would be introduced for Ireland. That pledge had not yet been kept, and now, when they sought to introduce a clause based upon that Act, it was rejected. He contended that the magistrates would be likely to deal with assaults as separate offences, though they really formed part of the same transaction. Boycotting was an offence, and conspiracy to Boycott was also an offence, and so it would happen that for the same act a man might be tried on a charge of conspiracy to Boycott, and on a charge of Boycotting; and, instead of getting one sentence of six months' imprisonment, he might get two such sentences.

MR. DILLON (Mayo, E.) said, it was a monstrous thing that the Government would neither accept this Amendment nor explain their reasons for refusing to do so. The arguments of his hon. Friend (Mr. M. Healy) were unanswerable. Events in Ireland during the last few years showed the necessity there was for some such clause as this. They were entitled to some explanation from the Government in case they refused to accept it. What was the use of wasting the time of the House of Commons in this manner? Let the Government apply the closure if they liked, and bring the whole thing to an end to-night or at the present moment. Every provision and clause of this Bill had been deliberately decided upon without the smallest reference to their merits on one side or the other. Everything that went to intensify the measure would be listened to, and anything that went to modify it would not be listened to.

MR. HUNTER (Aberdeen, N.), in supporting the Motion, pointed out that in the present Bill the Summary Jurisdiction Courts were usurping the functions of both Judge and jury, and that was what they objected to. All that was desired by the Amendment was to afford some provision which would have the effect of preventing magistrates from in-

flicting punishment three or four times over for what was practically the same offence. He could not see why the Government should object to the proposal, because if the offence was one that deserved more punishment than the six months' hard labour a magistrate could inflict, then the Government could proceed by way of indictment.

Question put.

The House *divided:*—Ayes 94; Noes 109: Majority 15.—(Div. List, No. 274.)

MR. MAURICE HEALY, in rising to insert the following Clause, after Clause 9:—

(Crown officials not to act as interpreters.)

"Where on the trial of any accused person had pursuant to any of the provisions of this Act, it is necessary to employ an interpreter for any purpose, no policeman or other Crown official shall be employed to act in that capacity,"

said, he would remind the Government that they already admitted the principle of the clause when they accepted an Amendment of his to the 1st clause, excluding policemen from acting as interpreters under the clause. He thought it was desirable to have a general Proviso inserted on the subject.

New Clause (Crown officials not to act as interpreters,)—(*Mr. Maurice Healy,*) *brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton) said, he might point out the difficulty interpreters had in reproducing the evidence of Irish-speaking witnesses, who were generally very voluble, in a concise and at the same time sufficiently full form. Amongst policemen he thought the number who knew Irish, and would, therefore, be obliged to act as interpreters, were very few.

MR. MAURICE HEALY: A great many.

MR. GIBSON said, he was not aware that that was so. The Amendment provided that in a case where there was a special jury or a change of venue no policeman or Crown official should be employed as interpreter. That carried the suggestion that Crown officials and policemen were likely to be untrustworthy interpreters. He would point out that the inquiry would be held in public Court, where persons would have the opportunity of checking the interpretations given; and of all men policemen or other persons paid by the Crown would be the least likely to give a false interpretation of the evidence. It would be a dangerous thing for a policeman to give a dishonest interpretation, as it would ruin him for life; and, besides, there would be reporters in Court who would take the evidence.

MR. DILLON (Mayo, E.) said, the witness would give his evidence in Irish, and he never yet heard of a shorthand writer who was able to take a shorthand note of the Irish language.

MR. GIBSON admitted that he never heard of such a case; but they could always assume that the members of the National League would have somebody in Court acquainted with the Irish language who would be able to check the interpretation given. The Irish Members assumed that the Crown would employ an interpreter to misinterpret, but such would not be the case. The difficulties which had been pointed out were inseparable from interpretation in every case, and in the Irish language particularly, especially where the witness was an old woman who would be very voluble. He could not accept the Amendment.

MR. DILLON said, the Government had granted what was asked for by the Irish Members in the case of secret inquiries, but they would not extend it to public inquiries, although there was the same necessity. Take the case of the City of Dublin, where a great number of trials would be held. There would be nobody present who would understand the Irish language, and consequently no check on the interpreter, the prisoner having to entrust his case to the very men who were his prosecutors. In a recent trial in the West of Ireland, conducted by Mr. Peter O'Brien, who was going to be one of the Law Officers of the Government, a technical difficulty arose about the proof of the publication of a newspaper, the editor of which was being prosecuted. He was informed on the best authority that Mr. Peter O'Brien said to the Crown Prosecutor of Sligo—"Get a constable to swear that, and if he does not I will report you to the Attorney General." Innumerable instances could be brought forward on

the part of Mr. Peter O'Brien, George Bolton, and other men, whose conduct in trials had been most disgraceful; and was it reasonable, with such examples before them, to take an Irish-speaking witness to Dublin and compel him to give his evidence before what would be to all intents and purposes a secret inquiry, and then to say that those who interpreted the evidence should be policemen or salaried officials, subject to immediate dismissal if they did not please the Government. A constable would be able to misinterpret the evidence without anyone being the wiser, and certainly a constable who hoped to be promoted would endeavour to please the Government.

MR. W. A. MACDONALD (Queen's County, Ossory) said, he might instance the Maamtrasna prosecutions as cases in which the witnesses could only speak Irish, whilst the only interpreter who was produced was a policeman. Was it not reasonable that the interpreter who was employed should be a man who was absolutely above suspicion? The truth was the Irish Members did not trust the Government at all, and the sooner the Solicitor General for Ireland understood that the better. They believed that there was nothing too mean, nothing too despicable, for the Government to do in order to gain a point under certain circumstances.

MR. SPEAKER: Order, order! The hon. Member is not justified in using that language in this House. I must ask him to withdraw it.

MR. W. A. MACDONALD: Quite so. I was——

MR. SPEAKER: The hon. Member must withdraw his expression at once.

MR. W. A. MACDONALD said, he begged pardon. He was going to withdraw it, and he did withdraw it. He had wished to convey that in a particular instance scarcely a policeman might be above suspicion. The people who would be benefited by that clause were poor people who only spoke Irish, and who brought forward their witnesses, who could only speak Irish, to defend them in a matter, perhaps, of life and death; and if those poor people thought it would be better for them to have an independent interpreter common humanity should grant them that slight concession.

MR. NEVILLE (Liverpool, Exchange) said, he would feel more confidence in the value of the repeated assurances given by the Government that every Amendment, from whatever quarter of the House it might come, was received by the Government with equal consideration if what seemed to him a perfectly reasonable Amendment like the present were met with more openness of mind than the present Amendment had met. It seemed to him, from what he had heard in debate that afternoon, that it was an important thing, where an interpeter was necessary, that the interpreter should be an absolutely impartial person. His view on that point was very much strengthened by what the Solicitor General for Ireland himself now stated —namely, that owing to the volubility of Irish witnesses when speaking in their own language, and owing to the peculiar force of the language they sometimes adopted, there was considerable difficulty in justly rendering the meaning that these witnesses wished to convey. It was impossible almost to interpret word for word, and consequently the Court must have something like a paraphrase, and possibly some misrepresentation of what the witness really meant to say. If that was the case, it was absolutely necessary that the interpreter employed should be a man whose impartiality was above suspicion. He did not profess any knowledge of the police in Ireland, but he could say, undoubtedly, that he had not absolute confidence in the evidence given by policemen in this country. They knew that in nine cases out of ten policemen as witnesses did make themselves partizans. ["Oh, oh!"] Well, he did not think there were many Gentlemen in the House who knew anything about the subject who would doubt what he said. He was not speaking against the character of the men, but they did, undoubtedly, feel themselves interested in obtaining a conviction. They felt it part of their duty to endeavour to obtain a conviction, and the result was that their evidence was not so unbiassed as the evidence of ordinary witnesses. Assuming that the same rule applied to Ireland, it did not seem to him reasonable that policemen who might be keenly interested in the result should be employed as interpreters. The Amendment involved no reflection upon the Govern-

ment. According to every principle which governed criminal trials and Criminal Law in this country it was the duty of the House in this matter to see that no unfair power was placed in the hands of the prosecution.

MR. M. J. KENNY said, he regretted that the Government did not see their way to adopt the provision contained in the clause. He asked whether the Solicitor General for Ireland had considered the moral effect upon an Irish-speaking witness, say from Connaught, giving his evidence in Court, if he was to have that evidence filtered through a policeman whom he had, perhaps, regarded with anything but respect or confidence all through life? And, even assuming that the policeman wished to translate faithfully what was said, the witness and the policeman might come from different parts of the country, where not only was the Irish language pronounced very differently, but the words used had a different signification. It would vitiate the ends of justice if a policeman was permitted to act as interpreter. Only a few days ago one of the London magistrates, Mr. Montagu Williams, said he would not convict on the unsupported evidence of a policeman. He hoped that even now the Solicitor General for Ireland would be able to accept the Amendment, and so procure a greater reliance on the part of the Irish people in the administration of justice.

MR. CHANCE observed that there was a system among the police in Ireland of awarding good conduct marks and money prizes, amounting in some cases to £20, for obtaining convictions. That undoubtedly made the police interested witnesses, who, under the old Common Law, could not be examined at all.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) denied that there was any foundation for the statement that the police in either England or Ireland were paid for obtaining convictions. The ordinary practice which prevailed in England and Ireland was that if a case had been properly conducted and properly prepared the conduct of the police engaged in it was marked with a good mark quite independent of the success or failure to obtain conviction. There was not the slightest foundation for the statement that the payment of the police depended on a conviction. However, the matter had nothing whatever to do with the Amendment before the House.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MOTION.

DUBLIN HOSPITAL BOARD, &c. BILL.

On Motion of Mr. Dwyer Gray, Bill to provide for a Dublin Hospital Board; and for other purposes, *ordered* to be brought in by Mr. Dwyer Gray, Mr. T. D. Sullivan, Mr. Timothy Harrington, and Mr. Murphy.

Bill *presented*, and read the first time. [Bill 302.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 30th June, 1887.

MINUTES.]—SAT FIRST IN PARLIAMENT—The Lord Silchester (Earl of Longford), after the death of his father.

PUBLIC BILLS — *First Reading* — Customs and Inland Revenue * (150).

Committee—Municipal Corporations Acts (Ireland) Amendment (No. 2) (116-143); Incumbents' Resignation Act (1871) Amendment (104-144); Lunacy Districts (Scotland) (82-145).

Report—Metropolis Management (Battersea and Westminster) * (101); Markets and Fairs (Weighing of Cattle) * (139).

Select Committee—Smoke Nuisance Abatement (Metropolis) * (43), *nominated.*

PROVISIONAL ORDER BILLS — *First Reading* — Local Government (No. 5) * (146); Local Government (No. 6) * (147); Local Government (No. 8) * (148); Local Government (Ireland) (Killiney and Ballybrack) * (149).

Second Reading—Gas and Water * (131); Tramways (No. 2) * (133); Oyster and Mussel Fisheries * (136); Pier and Harbour (No. 2) * (137).

Committee—Local Government (Ireland) (Dublin, &c.) * (95-142).

IRISH LAND LAW BILL—PURCHASE OF HOLDINGS—PROVISIONS AS TO HEAD RENTS.—QUESTION.

EARL SPENCER: With reference to the Irish Land Law Bill, which I understand will be brought forward to-morrow on Report, I have reason to believe that there are cases in Ireland where difficulties will occur with respect to head rents, which may absolutely pre-

vent a sale which both landlord and tenant may be anxious to carry out. This is a very important matter, and I wish, therefore, to ask the Lord Privy Seal, to whom I have given private Notice of the Question, whether the Government will consider this important point before the Bill comes up for Report to-morrow?

THE LORD PRIVY SEAL (Earl CADOGAN): I am quite aware of the importance of the point referred to by the noble Earl, and I may say that it is under the consideration of the Government. When the Bill comes up upon Report I will state the intentions of the Government with regard to the matter.

THE EARL OF MILLTOWN said, he thought the noble Earl opposite (Earl Spencer) was in error upon the point. The Bill gave no power to landlords to forbid a sale; but there was no power given to free the land from the head rent.

MUNICIPAL CORPORATIONS ACTS (IRELAND) AMENDMENT (No. 2) BILL.

(*The Earl of Erne.*)

(NO. 116.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That this House do now resolve itself into a Committee upon the said Bill."—(*The Earl of Erne.*)

LORD FITZGERALD said, he would suggest that before going into Committee the noble Earl should give some explanation of the extensive alterations he proposed in the Bill. In connection with the subject he (Lord Fitzgerald) should be obliged to refer to some proceedings in the other House. The Bill had come from the Commons and seemed to have passed there with general assent. It professed to alter the municipal franchise in Belfast, and to make it in effect a household franchise, and so far the noble Earl did not seek to make any alteration; but it also provided that the new franchise should come into operation in October next, and that on framing the new Burgess Roll the whole of the existing Corporation of Belfast should go out of office and a new election be forthwith held. In order to explain this, it was necessary to state that a Bill called the Belfast Main Drainage Bill had but a few days ago passed the House of Lords, involving the outlay of a very large sum of money. The ratepayers of Belfast complained justly that they had no real voice in the control of the expenditure, as they were not properly represented in this Council. When the Main Drainage Bill came before the Commons a few days ago, a debate was raised on it as well as on the Franchise Bill. He (Lord Fitzgerald) had read that debate in the columns of *The Times*, and it left on his mind the impression that an understanding had been arrived at. On that occasion Mr. De Cobain, one of the Members for Belfast, informed the House that the present municipal constituency of the borough was but 6,000; whereas, on the proposed franchise, it would be at least 30,000; and he pointed out justly that those who were to pay should have the control of the money. There was an animated debate, led very much by the Chairman of Ways and Means, and the result seemed to be a compromise, or an understanding, by which the Main Drainage Bill passed, and the Franchise Bill came down to this House in its present form. But the noble Earl now proposed seriously to affect the provisions of the Franchise Bill and postpone its operation to 1889. He (Lord Fitzgerald) would be unwilling in the least to impede the operation of the Drainage Bill; but he thought that if there was an understanding arrived at it should be carried into effect in spirit and in truth. If there were any technical difficulties in the way he was willing to assist the noble Earl in removing them, but he saw none that could not easily be overcome. He, therefore, hoped their Lordships would act on the understanding arrived at, and not defer the operation of the Bill until 1889.

THE EARL OF ERNE said, that on the second reading of the Bill he explained its provisions as fully as he could, and he should not be in Order now if he were to go over the same ground again.

Motion *agreed to.*

House in Committee accordingly.

Clause 1 (Short title) *agreed to*

THE EARL OF ERNE, in moving, as an Amendment, the insertion of a clause to follow Clause 1, providing that the Act should not come into operation in the municipal borough of Belfast until the 1st of January, 1888, said, the Bill, if passed as it stood, would take effect immediately upon receiving the Royal

Assent, and would apply to the next list of municipal electors. He was informed by the authorities responsible for carrying out the revision of the list that it would be absolutely impossible, from the enormous increase in the number of electors, that the list could be ready by the 8th of September. The object of the postponement for a year was to enable the authorities to make the necessary arrangements, which could not be effected if the Amendment were not accepted.

Moved, after Clause 1, to insert the following Clause:—

(Extent and commencement of Act.)

"This Act shall apply only to the municipal borough of Belfast (in this Act called the 'borough'), and shall commence and take effect on and from the first day of January one thousand eight hundred and eighty-eight, which date is in this Act referred to as the commencement of this Act."—(*The Earl of Erne.*)

EARL SPENCER said, that the effect of the Amendment would be to postpone the operation of the Act for a year, and that would be a very serious matter. He thought some proof should be given that the new electors could not be placed on the list before the elections in October.

LORD FITZGERALD, in opposing the Amendment, said, it was a breach of the compromise arrived at in the other House, that this Bill and the Belfast Main Drainage Bill should be passed together.

Motion *agreed to*.

Clause *added to* the Bill.

Clauses 2 and 3 severally *agreed to*.

Clause 4 (Act to apply only to Belfast).

On the Motion of The Earl of ERNE, Clause *struck out* of the Bill.

Clause 5 (First election of new council).

On the Motion of The Earl of ERNE, the following Amendment made:—In page 2, line 12, leave out ("passing") and insert ("commencement").

Clause, as amended, *agreed to*.

Moved, after Clause 5, to insert the following Clauses:—

(Retirement and rotation of councillors.)

"One-third of the whole number of councillors for each ward elected at such election shall go out of office on the twenty-fifth day of November one thousand eight hundred and eighty-nine, and one other third of such councillors shall go out of office on the twenty-fifth day of November one thousand eight hundred and ninety, and the remaining third of such councillors shall go out of office on the twenty-fifth day of November one thousand eight hundred and ninety-one, and the names of the councillors to go out of office in each such year respectively shall be decided by ballot at the first meeting of the council held after such election."

(Retirement and rotation of aldermen.)

"One of the aldermen for each ward shall go out of office on the twenty-fifth day of November one thousand eight hundred and ninety-one, and the other alderman for each ward shall go out of office on the twenty-fifth day of November one thousand eight hundred and ninety-four. The names of the aldermen to go out of office at the said times respectively shall be decided by ballot at the first meeting of the council held after the said election."

(Revision of burgess lists.)

"(1.) After the commencement of this Act the lists of burgesses for the borough, instead of being revised by the mayor and assessors as provided by the principal Act, shall be revised by one or more barristers of not less than six years standing at the Irish Bar, to be appointed in each year by the said mayor and assessors.

"(2.) The barristers so appointed, if more than one, may distribute the work of revision of the said lists among themselves in such manner as they shall think proper, and may hold as many courts simultaneously as may be necessary for the due revision of the said lists, but so that not more than one barrister shall preside in each court except for the purpose of making any determination which may be necessary under section fifty-nine of the principal Act. For all purposes connected with such revision (save only for the appointment of such barristers as aforesaid), the barristers appointed as aforesaid shall be substituted for the mayor and assessors elected as aforesaid, and shall have the same powers with regard to the revision of the said lists as were, before the passing of this Act, vested in the mayor and assessors elected as aforesaid.

"(3.) The said barristers instead of the mayor shall write their initials against the names respectively struck out of or inserted in each list revised by them respectively, and against every part of each said list revised by them respectively in which any mistake shall have been corrected, and shall sign their names respectively to the pages of each list revised by them respectively when settled."

(Remuneration of revising barristers.)

"The Council of the borough of Belfast shall pay to every barrister who shall revise the said burgess lists, or any of them, such remuneration for his services in revising the said lists, not exceeding five guineas per day, as the said Council shall think proper; such remuneration to be paid out of the borough rate of the said borough."

(Acts to remain in force.)

"Except as by this Act expressly provided, nothing herein contained shall in any way affect or alter any of the provisions of the principal Act as amended by any Act amending the

same, but all such provisions shall remain and be in force and be applicable in all respects in reference to the lists of burgesses to be made and revised as by this Act provided."

Motion *agreed to*; Clauses *ordered* to stand part of the Bill.

Clause 6 (Execution of main drainage scheme).

On the Motion of The Earl of ERNE, Clause *struck out* of the Bill.

Moved, To insert the following Clause:—

(Suspending operation of main drainage scheme.)

"Until after the election of the council in November one thousand eight hundred and eighty-eight no action shall be taken or liability incurred in respect of any works which the corporation of Belfast are or may be empowered to execute under any Act of the present session unless or until the execution of such works has the consent of the owners and ratepayers of the borough, to be expressed by resolution in the manner directed by Schedule III. of the Public Health Act, 1875, which for the purpose of such resolution shall be read and have effect as applicable to the borough."—(*The Earl of Erne.*)

Motion *agreed to.*

The Report of the said Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 143.)

INCUMBENTS' RESIGNATION ACT (1871) AMENDMENT BILL.—(No 104.)

(*The Duke of Buckingham and Chandos.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE DUKE OF BUCKINGHAM AND CHANDOS, in moving that the House go into Committee on this Bill, said, he wished to call attention to an Amendment of which Notice had been given by the right rev. Prelate (the Bishop of Carlisle). The Amendment was to strike out of Clause 5 a line which said that Section 8 of the principal Act was to be read as if the words "if any" were inserted after "the amount of pension." The object of the Amendment was to continue the payment of nominal pensions to retiring incumbents. Under Section 8 of the principal Act, Commissioners held themselves obliged, if satisfied with the reasons for resignation, to specify some pension irrespective of the need of the retiring incumbent. Hence, nominal pensions down to £1 per annum had been awarded. The Bill proposed to give the Commissioners power to report a resignation expedient without specifying any pension. There was no Return of the pensions which had been granted; but it was evident that the reason for awarding them must be either that the services of the retiring incumbent merited a pension, or his circumstances were such that he required a pension. But in many cases the pension was no real benefit as a means of subsistence to the retiring incumbent, and it was a very serious deduction from the income of the succeeding incumbent. It was thought undesirable that the payment of these nominal pensions should be deemed obligatory in all cases, and, therefore, it was proposed to amend the original Act. No injustice would be done to a retiring incumbent, because he was always one of the Commissioners, and would have a casting vote.

Moved, "That the House do now resolve itself into a Committee upon the said Bill."—(*The Duke of Buckingham and Chandos.*)

Motion *agreed to.*

House in Committee accordingly.

Clause 1 to 4, inclusive, severally *agreed to.*

Clause 5 (Amendment of 34 & 35 Vict. c. 44, s. 8).

THE BISHOP OF CARLISLE, in moving the omission of the line introducing the words "if any" into the principal Act, said the noble Duke had omitted to notice two points. There was such a thing as simple resignation independently of resignation under this Act. An incumbent who had sufficient means to live upon on his retirement would, as a general rule, apply to be allowed simply to resign; but the object of the Act was to facilitate the resignation of incumbents who were not in such an independent position. Certain expenses were incurred in resigning under the Act, and if the clergyman who resigned under it got nothing at all, he was in a worse position than if he simply resigned. On public grounds it was desirable that incapable incumbents should be encouraged to resign; and it was undesirable to introduce words which would have a distinct tendency to discourage them to do so.

Amendment *moved*, in page 1, line 26, to leave out from ("read") to the end of line 27.—(*The Lord Bishop of Carlisle.*)

LORD GRIMTHORPE opposed the Amendment.

THE EARL OF KIMBERLEY also opposed the Amendment.

THE LORD CHANCELLOR (Lord HALSBURY) supported the Amendment.

On Question, "That the words proposed to be left out stand part of the Clause?"

Their Lordships *divided*:—Contents 26; Not-Contents 41: Majority 15.

Amendment *agreed to*.

LORD GRIMTHORPE said, that as the Bill stood, where a curate was compulsorily employed, the salary of the curate was to be taken into account in calculating the net annual value of the benefice, which was so far right. But it did not go far enough, and, in fact, would do very little; first, because the employment of a curate was not compulsory unless the income of the benefice was £500 a-year; and, secondly, because the clergy who can afford it generally employ curates wherever there is work enough for them, far beyond the requirements of the law, and it is very injurious to the parish for them to be hampered in so doing by pensions paid out to their predecessors. He, therefore, proposed to extend the provisions of the clause so that if a curate was employed in fact, in a parish where the population exceeded 3,000, or where there was more than one church to be served, or where more than two services on Sunday were usually held, in all those cases the salary of the curate should be deducted in estimating the annual value of the benefice for the purposes of the Act. The Commissioners who awarded the pension to the retiring incumbent were generally his neighbours and friends, who were naturally disposed to give him as much as they could; and sometimes considerable pensions were paid to retired clergymen who had fair private means of their own. That Act had produced a good deal of hardship to the new incumbents, partly owing to this cause and partly to others which are notorious—namely, the fall in value of all livings depending on either land or tithes; and it was desirable to secure, as far as they could, that the incoming clergyman of a parish should have fair remuneration for his services.

Amendment *moved*, in page 2, line 9, after ("curate"), insert ("who is or might be"); and after ("employed"), insert ("or is, in fact, employed, the population exceeding 3,000, or if there is more than one church to be served or more than two services on Sunday are usually held").—(*The Lord Grimthorpe.*)

THE BISHOP OF CARLISLE said, he did not wish to oppose the object of that Amendment, which seemed to him to be in the right direction; but there was a little inconvenience in pledging oneself on so technical a matter upon merely hearing the words of the Amendment read. Therefore the noble Lord would perhaps not object, if the Amendment was now accepted, to its being open to the Bench of Bishops to consider it carefully before the Report stage. It was only fair for him (the Bishop of Carlisle) to add that he had known instances in his own diocese, of clergymen, who, having retired under that Act, and having subsequently come into possession of means which rendered them independent, had voluntarily resigned their pensions.

THE DUKE OF BUCKINGHAM AND CHANDOS said, he would accept the Amendment.

Amendment *agreed to*.

Clause, as amended, *agreed to*.

Remaining Clause *agreed to*.

Schedule *agreed to*.

The Report of the said Amendments to be received *To-morrow;* and Bill to be *printed* as amended. (No. 144.)

LUNACY DISTRICTS (SCOTLAND) BILL.

(*The Marquess of Lothian.*)

(NO. 82.) COMMITTEE.

House in Committee (according to Order).

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN) said, that he had several Amendments to propose; but they were not important, and did not affect the principle of the measure.

Amendments made: The Report thereof to be received *To-morrow;* and Bill to be *printed* as amended. (No. 145.)

JUBILEE THANKSGIVING SERVICE (WESTMINSTER ABBEY)—SEATING OF PEERS—PRECEDENCE.

QUESTION.

THE EARL OF GALLOWAY asked the Lord Chamberlain, Whether he can in-

form the House why it was thought necessary to adopt any form of ballot for the seating of Peers on the occasion of the Jubilee Thanksgiving in Westminster Abbey on the 21st instant in preference to their being seated in accordance with their precedence on the Peerage Roll of the United Kingdom?

LORD COLVILLE OF CULROSS said, that as Chairman of the Committee appointed by the House to superintend the distribution of the tickets, he had been requested by the Lord Chamberlain, who was not a Member of the Committee, to answer the Question of the noble Earl. Of the 510 tickets furnished by the Lord Chancellor for distribution to Peers and Peeresses 180 were allotted to Cabinet Ministers, ex-Cabinet Ministers and their wives, Dukes and Duchesses, and Privy Councillors being Peers and their wives, and the Committee having charge of this matter then proceeded to distribute the remainder by ballot. The reason that this mode of distribution was adopted was that the Committee did not consider that the service in the Abbey was a really State ceremonial, like a Coronation, when Peers attended in their robes, and sat in the order of their precedence. The Lord Chancellor in his Parliamentary robes represented their Lordships' House, and the Committee thought that amply sufficient for the occasion. The recommendations arrived at by the Committee were circulated a fortnight before the ceremony, so that his noble Friend had ample notice; but why he should have waited until nine days after the ceremony before he introduced what he (Lord Colville of Culross) must consider as a Vote of Censure on the Committee he could not understand. The noble Marquess (the Marquess of Salisbury), as representing the Government, and the noble Earl (Earl Granville) the Leader of the Opposition in that House, concurred in the recommendations; and the noble Lord would have been better advised if he had stated his objections on a more fitting occasion.

EARL GRANVILLE said, that he was quite ready to assume any responsibility that might attach to him in this matter. He agreed, in the first place, to the suggestion that a Committee should be appointed to consider the arrangements, and that they should adopt some principle of seating Peers, or go to a ballot. Afterwards, when the noble Lord the Chairman of the Committee informed him of the course taken by the Committee, he agreed to it; but he had no authority to decide upon the matter.

THE EARL OF GALLOWAY said, he did not intend his Question to be a Vote of Censure upon the Committee; but having heard that there was some discontent upon the subject he had brought the matter forward. The most natural proceeding would have been that their Lordships should have sat according to precedence. He did not mention the matter before the ceremony because he did not wish it to appear that he had any desire to upset the arrangements.

THE EARL OF MILLTOWN said, that the noble Lord the Chairman of the Committee had given no explanation as to why a ballot was adopted in preference to allowing Peers to sit according to their precedence.

LORD BRAYE said, that Peers were not present in an official capacity, and it was only when in an official capacity, as at the Coronation, that they sat in order of precedence.

THE LORD CHANCELLOR (Lord HALSBURY) observed that he was unable to add any information to what had been already stated, beyond the fact that the order of precedence of Peers was settled by Act of Parliament centuries ago.

PARLIAMENT—JUDGMENTS OF THIS HOUSE — NOTIFICATION TO DIVISIONS OF THE HIGH COURT OF JUSTICE AND TO THE COURT OF APPEAL.—MOTION.

LORD COLERIDGE, in rising to move—

"That this House should direct its judgments to be formally notified to the Divisions of the High Court of Justice and to the Court of Appeal which may be affected thereby,"

said, it was the fact that the House of Lords had no power to enforce its own decrees, and that the parties were put to the unnecessary expense of making a motion in the Court below in order to have the judgment of the House carried into effect. In making this Motion, he had no desire to interfere in any way with the practice in the Scotch and Irish Courts.

Moved, "That this House should direct its judgments to be formally notified to the Divisions of the High Court of Justice and to the Court of Appeal which may be affected thereby."—(*The Lord Coleridge.*)

THE LORD CHANCELLOR (Lord HALSBURY) said he entirely approved of the object of the noble and learned Lord in making this Motion. He thought the abolition of a quite unnecessary expense should be encouraged. It might be a matter of convenience to notify these judgments to the Courts mentioned; but still he thought it was unnecessary to do so. There were, however, some technical arrangements to be made by the Clerk of Parliaments, and he asked, consequently, that the question should stand over for the present.

Motion *postponed.*

THE EARL OF MAR.

MOTION FOR PRINTING A PETITION.

THE EARL OF WEMYSS, in rising to move that the Petition of the Earl of Mar for an investigation into the connection between the Mar estates and the ancient Mar dignity, with a view to a rehearing of his right to the estates of Mar, presented on the 27th instant, be printed, said it was not his purpose, in the slightest degree, in making that Motion, to enter into the subject-matter of that Petition; quite the contrary. His only object in putting the Notice upon the Paper was for their Lordships' convenience, it being within his knowledge that a Motion would be made in a day or two in their Lordships' House by a distinguished Member of their Lordships' House on the subject of the Petition; and, therefore, it would be more convenient that the Petition should be laid before them in a printed form. He hoped the Motion would meet with their Lordships' approval.

Moved, "That the Petition of the Earl of Mar, presented on the 27th instant, be printed."—(*The Earl of Wemyss.*)

THE LORD CHANCELLOR (Lord HALSBURY) trusted that their Lordships would not accede to the Motion. The questions involved in the Petition would necessarily create a considerable and, he he was afraid, not altogether a placid debate. There were allegations in the Petition the accuracy of which it was obvious would not be admitted by those who were interested on the other side. There were allegations as to their Lordships' House sitting as a Court of Appeal from the decision of the Court of Session in Scotland, and upon those allegations, if they were made the subject of comment, it would be his duty to say something. He desired not to enter into the merits of the case. He was sure that the noble Earl (the Earl of Mar), on whose behalf the noble Earl was moving, would understand that no one took a stronger part in his favour on a certain occasion than he (Lord Halsbury) himself had done, he having assisted in passing an Act of Parliament which had enabled the noble Earl (the Earl of Mar) to sit in that House. It was, however, impossible not to see that there were matters referred to in this Petition which would raise, he did not hesitate to say, very angry debate, and he could not but think that it would not be for the convenience of their Lordships' House that a document containing such allegations should be circulated until those allegations had been answered, and until some opportunity for debate had been given, if it were thought right to debate the matter at all. To circulate such a document would be to give a certain weight and authority to the statements it contained, and which would probably form the subject of grave and serious controversy. He believed, further, that it was not usual to print Petitions to their Lordships' House, and he should deprecate an act of their Lordships' House which would appear to give the sanction of their authority to allegations the accuracy of some of which he had no doubt would be strenuously denied.

LORD BLANTYRE supported the Motion.

THE EARL OF GALLOWAY said, he thought that the very argument which had been put forward by the noble and learned Lord on the Woolsack, that when the Question came on for discussion it was likely to be debated with some acrimony, showed the necessity of steps being taken which would insure their Lordships an opportunity of reading the Petition before the matter came on for discussion. The Lord Chancellor had stated that it was not usual to print Petitions that were presented to that House; but, after all, the point whether the Petition should or should not be printed was one for the determination of theirLordships.

LORD WATSON said, he thought that it would be injudicious for their Lordships to direct that a document of this character containing *ex parte* statements

should be printed and circulated. Notwithstanding that this Petition was not printed, the noble Earl who was principally interested in the matter would find no difficulty in having his case clearly stated to the House. It would be better that both Parties should be placed in a position of equality when the Question came under the consideration of the House.

THE EARL OF WEMYSS said, that he had nothing to add to the statement he had already made, and he should certainly not press his Motion to a Division, though he thought it would have been for the advantage of their Lordships to have the document in their hands before the discussion on it took place.

Motion (by leave of the House) *withdrawn.*

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—NAVAL REVIEW AT SPITHEAD.

QUESTION.

LORD BRAYE asked, What accommodation it is proposed to afford Members of both Houses of Parliament to witness the Naval Review off Spithead on Saturday, 23rd July next?

LORD ELPHINSTONE, in reply, said: On the occasion of the Naval Review at Portsmouth on Saturday the 23rd of July, 1887, the Admiralty will arrange for the accommodation of such of their Lordships who wish to attend. The arrangements will be as follows:—Tickets of admission to H.M.S. *Euphrates* will be placed at the disposal of the Lord Chancellor for such Members of the House of Lords as declare their intention of being present. The tickets will not be transferable. Arrangements will be made for special trains to convey their Lordships from London into Portsmouth Dockyard, and the particular train will be indicated on the tickets. Arrangements will also be made for railway return tickets to be procurable some days before the 23rd, such tickets being available for the return journey on Saturday, Sunday, or Monday. It will assist the Admiralty in the arrangements they are now making, were their Lordships to apply at once to the Lord Chancellor, so that the Admiralty may be informed of the total number of tickets required. Every detail connected with the measure will be published in the daily papers early next week. I would call your Lordships' attention to the absolute necessity of going by the trains specified on the ticket; because some trains will go to Portsmouth Dockyard, and others to Southampton. About 114 pennants will be displayed, besides those which represent some foreign Powers. The Fleet will remain at anchor. The *Euphrates* carrying your Lordships will follow the Queen's yacht. I may also mention that in the evening there will be illuminations.

THE MARQUESS OF EXETER, while acknowledging the good arrangements the noble Lord was making for their Lordships to see the Naval Review, asked the noble Lord whether he had satisfied himself as to the steering qualities of the *Euphrates*, as he had been told that the ship would not steer? If the information he had received on this point was correct, there would be considerable danger of running into the ships or of running aground, or, what would be still worse, there might be some danger of their Lordships running into the Queen's yacht.

LORD ELPHINSTONE said, he could assure the noble Marquess that every precaution would be taken to prevent such a misadventure.

In reply to a further Question,

LORD ELPHINSTONE said, a limited number of tickets will be placed at the disposal of the Lord Chancellor. There will be a single ticket for each Peer, and when the Peers were all provided for, the remaining tickets would be divided among the Peeresses.

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL [H.L.].

Select Committee on: The Lords following were named of the Committee:

D. Westminster	L. Stratheden and Campbell.
E. Dundonald.	L. Mount-Temple.
E. Harrowby.	L. de Vesci.
E. Brownlow.	L. Monkswell.
L. Balfour of Burley.	

The Committee to appoint their own Chairman.

House adjourned at half past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 30th June, 1887.

MINUTES.]—New Writs Issued—*For* University of Dublin, *v.* Right honble. Hugh Holmes, Judge of Her Majesty's High Court of Justice in Ireland; *for* North Paddington, *v.* Lionel Louis Cohen, esquire, deceased.

Public Bills — *Ordered* — *First Reading* — Distressed Unions (Ireland) * [307].

Second Reading—Consolidated Fund (No. 2) *; Tramways (War Department) * [246].

Committee—Report—Crofters Holdings (Scotland) [287]; Criminal Law (Scotland) Procedure (No. 2) * [196]; Licensed Premises (Earlier Closing) (Scotland) [153]; Allotments and Cottage Gardens Compensation [167-306].

Report of Select Committee—Merchandise Marks Act (1862) Amendment [No. 203].

Report—Merchandise Marks Law Consolidation and Amendment * [194-304]; Merchandise (Fraudulent Marks) * [179]; Merchandise Marks Act (1862) Amendment * [142]; Criminal Law Amendment (Ireland) [290-305].

Considered as amended—Pauper Lunatic Asylums (Ireland) (Superannuation) * [62].

Provisional Order Bills — *Considered as amended*—Public Health (Scotland) (Cowdenbeath Water) * [289].

Third Reading—Local Government (Ireland) (Killiney and Ballybrack) * [275]; Local Government (No. 5) * [280]; Local Government (No. 6) * [281]; Local Government (No. 8) * [286], and *passed*.

QUESTIONS.

—o—

IRISH POOR RELIEF INQUIRY COMMISSIONERS — FINANCIAL CONDITION OF THE UNIONS—DISTRESS IN CONNAUGHT.

Mr. CHANCE (Kilkenny, S.) (for Mr. Dillon) (Mayo, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Irish Government have yet decided what course they propose to adopt with reference to the financial condition of the unions reported upon by the Irish Poor Relief Inquiry Commissioners?—The hon. Member also asked, Whether the right hon. Gentleman's attention has been directed to the deepening poverty of a large section of the population of the province of Connaught, owing to certain causes set forth in the report of the Irish Poor Relief Inquiry Commissioners, to the increase of population in the congested districts, and to the great increase of ejectments and decrees for rent in those districts; and, whether the Government have in contemplation any measure to avert the dreadful suffering, which it is feared will ensue during the coming autumn and winter, if something be not done to meet this condition of things?

The PARLIAMENTARY UNDER SECRETARY (Colonel King-Harman) (Kent, Isle of Thanet) (who replied) said: The policy of the Government with regard to the distressed Unions referred to is fully disclosed in a Bill which has been drafted and might have been in the hands of hon. Members this evening but for the action which certain hon. Members from Ireland, sitting below the Gangway, thought fit to adopt in opposing its introduction yesterday. The Government, however, propose to bring the Bill forward again as soon as possible.

Mr. SEXTON (Belfast, W.) asked if the opposition to the Bill which had been mentioned by the right hon. and gallant Gentleman was made by one or more than one? The right hon. and gallant Gentleman spoke of certain Members.

Colonel KING-HARMAN said, objection by one Member would be sufficient to prevent the Bill being brought forward; but he believed two Members objected to it.

RAILWAYS (ENGLAND AND WALES) —THE LONDONDERRY RAILWAY (DURHAM).

Mr. CHANNING (Northampton, E.) asked the Secretary to the Board of Trade, Whether his attention has been drawn to the working of the Londonderry Railway between Sunderland and Seaham Harbour; whether the line is the property of the Marquess of Londonderry, and was originally made, and at present is extensively used, for the conveyance of coals from his Lordship's collieries in the district of Seaham to Sunderland Docks; whether it is a fact that coal trains are being continually run between the places named, and that about nine passenger trains are run each way per diem, and are usually well filled; whether the following facts are correctly stated—namely, that there are no continuous brakes in use on the passenger trains, and no steam brakes on the engines; that there is no attempt to carry out the block system in any way

on the line; that there are neither guards nor vans for the coal trains during the day; that at night a guard rides on the last waggon on the coal trains with a hand lamp, but has no equipment, such as fog signals, and, should anything occur, has nothing but his hand lamp to protect his train; and, whether the Board of Trade has any means to enforce the adoption of some safety appliances suitable to the nature of the line and its traffic, and will they take any steps toward that result?

THE SECRETARY (Baron HENRY DE WORMS) Liverpool, East Toxteth): The Londonderry, Seaham, and Sunderland Railway is the property of the Marquess of Londonderry. It was inspected by an officer of the Board of Trade in 1855, and authorized to be opened for passenger traffic. The line, which is about six miles in length, is partly interlocked, but continuous brakes are not used on the passenger carriages, and the line is not worked on the absolute block system. The Board of Trade have no information as to the other Questions asked; nor have they power to enforce the adoption of safety appliances.

THE MAGISTRACY (SCOTLAND) — MR. J. MACKINNON, J.P., ISLE OF SKYE.

MR. FRASER-MACKINTOSH (Inverness-shire) asked the Lord Advocate, Whether the proceedings of John Mackinnon, Kyle, Isle of Skye, a magistrate for the county of Inverness, upon Wednesday the 15th June instant, in depriving one man, two women, and three children of their liberty for several hours, by padlocking upon them the outer door of a house at Kyle, has been duly reported to him by the Local Authorities; and, if not, whether, in the interests of law and order, he will order a searching inquiry?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): John Mackinnon was tenant on Kyle for many years, and his gardener occupied the house in question. A gardener who had been in his employment for five years vacated the house lately, and a man, Munro, who was son-in-law of the former gardener, who died five years ago, took forcible possession of the house, without any right or title of any kind, and refused to leave. John Mackinnon did put a padlock on the door, and it was on for about three hours. The whole matter relating to a dispute as to legal right, the parties may be left to a civil remedy for any wrong that may have been done on either side.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE RIVER BANN.

SIR CHARLES LEWIS (Antrim, N.) asked Mr. Chancellor of the Exchequer, Whether the Government has decided to take steps with reference to the navigation works of the River Bann, in consequence of the recent Report of the Commissioners on Public Works in Ireland, or whether the subject is intended to be left in the first instance to the action of the grand juries of the respective counties of Antrim and Derry; and, whether the Government will take the necessary steps to bring the subject before such grand juries, as was the case after Lord Monck's Commission, 1881?

MR. LEA (Londonderry, S.) asked Mr. Chancellor of the Exchequer, If he is now prepared to state how much of the proposed grant of £50,000 for arterial drainage will be given for that of the Bann River; whether two Royal Commissions have reported against the maintenance of the navigation on the Lower Bann, and if that maintenance is useless and the cause of serious flooding in the district; whether the inhabitants on the Bann are compelled to pay taxation to support a work that only floods their land; and, whether the Board of Works cannot make an order for the removal of the wooden lock gates, or take some immediate steps before the summer is over to give relief to the inhabitants of the district?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The Government has already taken the necessary steps to consult the Grand Juries of the counties of Antrim and Derry as to the navigation of the River Bann, and to urge upon them the considerations in favour of abandoning the navigation which are put forward in the Report of the Royal Commission. Upon the decision of the Grand Juries will depend, to a certain extent, the character of the works which the Government are prepared immediately to undertake for the better drainage of the valley of the Bann. In any case the Government intend to insert sluices in the weir at Toome. That will

be necessary, whether the abandonment of the navigation be decided upon or not, and about £3,000 out of the £50,000 will be devoted to that purpose. If the Grand Juries decide to maintain the navigation, it will likewise be necessary to insert sluices in the other weirs on the River; and it may be possible to do some work this year on that at Cortna. Either or both of these works will be of considerable advantage to districts liable to floods. With regard to the lock gates, the Board of Works cannot make an order for their removal without legislation.

VACCINATION—LEWIS MILLER (UCKFIELD UNION).

Mr. BRADLAUGH (Northampton) asked the President of the Local Government Board, Whether, at Uckfield, on 23rd June, Lewis Miller was fined for not procuring his child to be vaccinated; whether Lewis Miller had been three times previously prosecuted and fined at the instance of the Guardians of the Uckfield Union in respect of the same child; whether, on or about the 14th April last, the Local Government Board, in consequence of the previous prosecutions against Lewis Miller, wrote to the Guardians of the Uckfield Union, deprecating generally repeated prosecutions against the same man for the same offence; and, whether Captain Noble, Chairman of the Uckfield Board of Guardians, is also Chairman of the Uckfield Bench of Magistrates?

The PRESIDENT (Mr. Ritchie) (Tower Hamlets, St. George's): On the 23rd instant, an order was made on Lewis Miller to have his child vaccinated within a month, and to pay the costs, amounting to 9*s.* 6*d.* He had been proceeded against three times previously at the instance of the Guardians. On the first occasion an order was made on him to have his child vaccinated, and on the second and third occasions he was fined, the fines being 10*s.* and 5*s.*, and the costs 12*s.* and 9*s.* In a letter addressed to the Guardians on the 21st of April last, Mr. Miller stated that his fines and costs were paid by a society for the abolition of compulsory vaccination. The Local Government Board have informed the Guardians generally of their views as to repeated prosecutions, as expressed in the letter to the Evesham Guardians. It rests with the Guardians, and not with the Board, to decide as to the course the Guardians shall adopt in any case of default. I have communicated with the Clerk to the Guardians, and am informed that Captain Noble, the Chairman of the Board of Guardians of the Uckfield Union, is also Chairman of the Uckfield Bench of Magistrates. He believes Captain Noble was not on the Bench on the 23rd instant. If he had been, he would not have taken part in the proceedings in the case of Lewis Miller.

WAR OFFICE — REGIMENTAL BANDS AT POLITICAL FETES—THE DORSETSHIRE REGIMENT.

Mr. BRADLAUGH (Northampton) asked the Secretary of State for War, Whether, by permission of the Colonel Commanding, the band of the Dorsetshire Regiment is advertised to play, on the 27th July, at a Conservative fête, in aid of the Conservative cause, in the grounds of Pensylvania Castle, Portland; and, whether he will take any action in the matter?

The SECRETARY of STATE (Mr. E. Stanhope) (Lincolnshire, Horncastle): The permission for this band to play at a political gathering was given without the authority of the General Commanding, and will be withdrawn.

NAVY — SENTENCE ON ASSISTANT PAYMASTER MONTGOMERY, H.M.S. "DUNCAN."

Mr. W. REDMOND (Fermanagh, N,) asked the First Lord of the Admiralty, With reference to the case of Mr. H. J. B. Montgomery, late Assistant Paymaster of H.M.S. *Duncan*, Sheerness, who was lately sentenced by court martial to two years' hard labour, and to be dismissed from Her Majesty's Service with disgrace, for stealing a sum of £500 and for desertion; whether he is aware that the said Mr. Montgomery returned of his own accord as soon as he heard that the money was missing, and that on his return he was kept a close prisoner, deprived of all his private effects, and for three days not allowed to communicate with his solicitor or anyone else, not even his brother, by which means he was kept from taking any steps to ascertain how the loss occurred; whether it is a fact that the prosecution took no steps to trace the missing notes, and that the court martial convicted Mr. Montgomery of the theft merely on the circumstantial evidence, although Mr. Montgomery had offered to refund the

money, and of desertion, although he returned of his own accord; whether all the clothes and private effects of Mr. Montgomery are forfeited to the Crown; and, whether the Admiralty intend to take further steps to inquire into this loss, and to alter and annul the sentence?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Mr. Montgomery returned to his ship of his own accord; I am not aware of the reasons which prompted him to so act. He was kept a close prisoner, and not allowed access to his cabin; but permission was given for him to have from his cabin any letters or clothes that he might want. Communication with his solicitor was refused for one day only, until instructions were received from headquarters. The prosecution did take steps to trace the missing notes, but the efforts made were unsuccessful. The evidence on which the prisoner was convicted, though mainly circumstantial, was conclusive to the Court. Under Section 19 of the Naval Discipline Act, the effects of all persons convicted of desertion are forfeited to the Crown. The Admiralty do not propose to interfere with the sentence.

NAVY—H.M.SS. "COLLINGWOOD," "COLOSSUS," AND "CONQUEROR"—THE 45-TON GUN.

MR. R. W. DUFF (Banffshire) asked the Surveyor General of the Ordnance, If he can inform the House when the 12-inch breech-loading, mark V, 45-ton guns ordered by the late Board of Admiralty, on the 11th June, 1886, for the *Collingwood*, *Colossus*, and *Conqueror*, and promised by the War Office to be completed last October, are likely to be fit for service; if he can state when the guns ordered for the *Hero* are likely to be delivered; and, if he can acquaint the House how many of the 22 breech-loading guns ordered for the Naval Service by the late Board of Admiralty, on the 11th June and 16th July, 1886, have been handed over to the Admiralty?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter): The guns for the *Colossus* and *Conqueror* are of mark III., and have been on board those ships for some time past.

MR. DUFF: All of them?

MR. NORTHCOTE: Yes, all of them. The guns for the *Collingwood* were being made by contract, and there had been some delay with them. It is expected that the guns for the *Hero* will be ready in the autumn. Of the 22 breech-loading guns, 10 have been handed over to the Admiralty, and the remainder will be handed over at the end of the year.

LAW AND JUSTICE (ENGLAND AND WALES)—ACCOMMODATION FOR UNTRIED PRISONERS.

MR. CHANNING (Northampton, E.) asked the Secretary of State for the Home Department, Whether he will lay upon the Table of the House the Correspondence between the Home Office and the local authorities as to the defects in the accommodation for untried prisoners, in time for the House to consider during the present Session whether the engagements undertaken by the local authorities to remedy the existing defects are or are not adequate and satisfactory?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No, Sir; I do not consider that any advantage would be gained by laying this Correspondence, which is very voluminous, upon the Table of the House. As I before stated, the Correspondence is not yet complete; when it is complete, it will have to be considered whether any legislation may, or may not, be necessary.

ROYAL IRISH CONSTABULARY FUND.

CAPTAIN M'CALMONT (Antrim, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the sum lying to the credit of what is known as the Royal Irish Constabulary Fund?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied): The Inspector General of the Royal Irish Constabulary reports that the amount at present lying to the credit of the Constabulary Force Fund is £133,489, which is invested in Government Stock.

LAW OF LIMITED LIABILITY—LEGISLATION.

MR. HARROP SIDEBOTTOM (Stalybridge) asked the Secretary to the Board of Trade, in view of the anxiety felt by both employers and employed in the manufacturing districts, If he can state

when Her Majesty's Government intend to introduce a measure for the amendment of the Law as to limited liability?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The subject is receiving the careful consideration of Her Majesty's Government; and if the state of Public Business admits of it, they hope to lay a measure of this description before Parliament during the present Session.

THE MAGISTRACY (IRELAND)—MAJOR GOSSELIN, R.M.

MR. CONWAY (Leitrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Why the name of Major Gosselin, R.M. was left out of the recent return of Resident Magistrates; whether his name appears in the Irish Constabulary Guide as an Irish Resident Magistrate without a station in Ireland; where does he reside; what are his judicial duties; and, what is his salary?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied): Sir, Major Gosselin is not for the present employed as a Resident Magistrate and does not receive pay as such. His name does not appear, therefore, on the list of Resident Magistrates.

MR. CONWAY: It appears in *Thom's Directory*. Do I understand the Under Secretary to say Major Gosselin receives no salary?

COLONEL KING-HARMAN: He has not received any pay as a Resident Magistrate since the present Government came into Office.

MR. CONWAY: Does he receive pay of any kind as an official?

COLONEL KING-HARMAN: I am not aware.

VACCINATION ACTS—ROBERT ESSAM'S IMPRISONMENT FOR NON-PAYMENT OF FINE.

MR. CHANNING (Northampton, E.) asked the Secretary of State for the Home Department, Whether his attention has been called to the imprisonment of Robert Essam, of Kettering, for non-payment of a fine under the Vaccination Acts; whether Robert Essam was, during his imprisonment, compelled to pick oakum, lie on a plank bed, and generally submit to the same diet and treatment as if he had been sentenced to imprisonment with hard labour; whether such treatment, diet, and discipline are applicable to cases of non-compliance with the Vaccination Acts under the existing Law; and, whether he will advise the magistrates to treat such prisoners more leniently, or take steps to amend the existing Law, so as to prevent prisoners under the Vaccination Acts from being treated in the same way as felons?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am imformed, by the Prison Commissioners, that it is not a fact that Essam was treated as a prisoner under a sentence of hard labour. He was treated in the manner legally applicable under prison rules to those who are under sentence of simple imprisonment. He made no complaint as to his treatment to anyone connected with the prison. I am not prepared to advise any special mode of treatment for persons imprisoned under the Vaccination Laws different from the treatment in numerous cases in which civil duties are enforced by imprisonment in default of payment of fines.

MR. CHANNING: Will the right hon. Gentleman state whether it is a fact that Essam was compelled to pick oakum, to lie on a plank bed, and to have the diet of a prisoner sentenced to hard labour?

MR. MATTHEWS: It is the case that Essam picked some oakum, and had to lie on a plank bed; but it is not the case that he had the diet applicable to prisoners with hard labour.

WAR OFFICE—COMPULSORY RETIREMENT.

MR. HENEAGE (Great Grimsby) asked the Secretary of State for War, Whether it is true that it is the intention of the authorities at the War Office to place over ninety commanding officers on half pay, under the Warrant of 1881, which was repealed by the present Government last January, on the ground that it was detrimental to the interests of the service; and, what are the reasons which induce the War Office to compel ninety officers to retire after less than two years in command and from 25 to 30 years' service, thereby increasing the amount of the non-effective Vote, when, by the recent Warrant of January 1887, they have declared that it is injurious to

the service that commanding officers should be compulsorily retired under four years' command?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The recent Royal Warrant specially provides that a lieutenant colonel shall be removed from his regiment after completing six years' service in the ranks. The reduction of one lieutenant colonel in each regiment of Cavalry and battalion of Infantry has already seriously diminished the promotion open to majors. To prolong the service of the remaining lieutenant colonels would not only add to this hardship, while conferring on the lieutenant colonels privileges to which they had no claim under the former Warrant, but would force on the Retired List many majors who have now every prospect of, and a fair claim to, promotion. It does not follow that the lieutenant colonels removed to half-pay would burden the Non-Effective List for any long time, as they will be eligible for employment on the Staff or in command of regimental districts and otherwise, and many of them will, presumably, be so employed. The actual number of commanding officers whose period of regimental service will expire during the present year is for the Cavalry regiments, 16, with an average period in command of two years and seven months; and for the Infantry battalions, 54, with an average command of two years and four months.

EVICTIONS (IRELAND) — EVICTIONS AT BODYKE, CO. CLARE.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state what was the number of police and military engaged in carrying out the recent evictions at Bodyke; what length of time they were engaged on this work; how many families were evicted; and, the total cost to the country of these proceedings?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, there were 209 police, including officers, and 100 military engaged at these evictions, and the time occupied was from the 25th May to the 17th June. Twenty-five families were evicted; but he was unable to state the costs, as the accounts had not yet been furnished.

THE DOG TAX—IRELAND.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can explain under what circumstances the proportion of Dog Tax payable in Ireland under "The Dogs Regulation Act, 1865," to the treasurers of counties and boroughs, has been reduced during recent years from the amount of contribution originally payable; what becomes of the surplus after the expenses and contributions to local bodies have been paid; and, whether he will consent to a Return giving details of the disposal of the fund?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, that the reductions in the amount of the contributions was due to the operation of Section 2 of the Act 44 & 45 *Vict.* c. 18. The reason of the reduction was that the ordinary sums for the payment of clerks' salaries had fallen short, owing to a reduction in receipts of fines, &c., and the surplus from the Dog Tax had to be devoted to the purpose of paying these salaries.

LAW AND POLICE (IRELAND)—FRANCIS COOKE.

MR. HAYDEN (Leitrim, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If, on the occasion of Francis Cooke being charged with presenting a revolver at Mr. Veich Simpson, Sergeant Henry said he was prepared to swear Cooke was sober; whether Cooke is now permitted to carry firearms; whether Sergeant Henry charged Mr. Veich Simpson a few nights afterwards with being drunk, while Constable Farrell appeared as plaintiff in the summons; whether Mr. Turner, R.M. at petty sessions, commented strongly on such a breach of discipline as putting the constable forward as complainant, the sergeant being the senior on duty; and, whether the Government intend to take steps, in accordance with the Constabulary Code, to remove Sergeant Henry from the district, if they still consider him fit to have charge of a station?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, the District Inspector of Constabulary reported that the sergeant did not say he was prepared to swear Cooke was sober on the occasion in question. Cooke

was still permitted to carry firearms, if he so desired, the Resident Magistrate saying, after the case was over, he saw no reason to recommend that the licence should be revoked. Simpson was not charged a few nights after, but a little over three weeks afterwards he was summoned. A constable acted as complainant by the direction of the sergeant, in accordance with the general instructions the latter had received, to the effect that junior men should conduct a case whenever necessity arose, so that they might become accustomed to that duty. The Resident Magistrate did not comment strongly on this fact; but defendant remarked it was strange that the sergeant did not prosecute. The Resident Magistrate then inquired if it was not senior men who prosecuted; but on hearing the sergeant's explanation he was satisfied. The sergeant seemed to have properly discharged his duty, and the Government saw no reason to order his removal from the district.

INDIA—THE NIZAM OF THE DECCAN—CONCESSION OF MINING RIGHTS TO THE DECCAN COMPANY.

MR. AINSLIE (Lancashire, N., Lonsdale) asked the Under Secretary of State for India, If he is aware that the existence of certain mines in the Deccan was well known to the Natives, and that since the concession to the Deccan Company no fresh discoveries of minerals have been made; If he will lay upon the Table of the House the details of the concession, giving the date of the commencement of the negotiations for it, and the names of the negotiators on both sides; if he will state whether any other offers were made; and, whether the intention to let the mines was advertised; and, if so, where?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): I am aware of the fact stated in the first paragraph of the Question. If the hon. Member will move for Papers on the subject of this concession, the Government will direct them to be furnished. The negotiations commenced in 1883, between Sirdar Diler Jung, on behalf of the Hyderabad State, and Mr. Watson on behalf of the projected Deccan Company. I am not aware that any other offers were made, or that the intention to let the mines was ever advertised.

POST OFFICE — TENDER FOR THE CONVEYANCE OF INDIA AND CHINA MAILS.

MR. HANBURY (Preston) asked the Postmaster General, Whether the tender of the Peninsular and Oriental Mail Company for the conveyance of the India and China Mails carries out the conditions on which tenders were invited, or in what particulars it introduces other and different conditions; whether the rejected tender or tenders were not more in accordance with the terms laid down by the Post Office; whether an opportunity will be afforded for fresh tenders on the part of any firm which may have thought it necessary to adhere to the conditions on which such tenders were invited by the Post Office; and, whether he will lay upon the Table a Copy of the original conditions?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): In inviting tenders for the conveyance of the India and China mails, the Post Office specified the several services required, but stated that it would be open to persons tendering to make an offer for the whole or any part of the services enumerated, or to serve the several places mentioned by other lines or routes. The Peninsular and Oriental Company sent in six tenders for services, varying in character as to route of conveyance, rates of speed, and the amount of subsidy required, and the accepted tender clearly comes within the definition laid down by the Post Office. The rejected tenders were not more in accordance with the terms laid down by the Post Office; and as the time for tendering expired in March, 1886, it would be a departure from the engagement to which the Department was publicly committed to call for fresh tenders. As the conditions are practically embodied in the contract now before the House, I do not see that any advantage would result from laying on the Table a copy of the original conditions.

MR. HANBURY: Does the Treasury Minute clearly represent the conditions of the tender; and, if so, is it not the fact that the accepted tender differs both as to time, speed, and route from the tenders invited?

MR. RAIKES: I have already pointed out that it does not differ as to route or as to speed from the original conditions

laid down, but with regard to time, there is, of course, some difference.

MR. ESSLEMONT (Aberdeen, E.): In view of the discussion on this subject to-night, I would ask the First Lord of the Treasury, whether he will consent to an early adjournment of the debate on the Criminal Law (Ireland) Amendment Bill?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It is not proposed to take the adjourned discussion on the mail contract this evening.

POOR LAW (ENGLAND AND WALES)—THE WELLINGBOROUGH UNION, NORTHAMPTONSHIRE.

MR. CHANNING (Northampton, E.) asked the President of the Local Government Board, Whether his attention has been drawn to the repeated requests made by the ratepayers of Rushden, in the Wellingborough Union, Northamptonshire, for one or more additional guardians to be authorized; whether the following facts are correctly stated:—That the representation of Rushden on the Board of Guardians for the Wellingborough Union has not been increased since the formation of the board; that, in 1874, the number of houses in Rushden was 476, whereas there are now 1,060 houses, and more are being constantly built; that the population of Rushden was 2,122 in 1871; 3,658 in 1881; over 5,000 in 1886, when a school census was taken and (allowing for 72 houses since completed and occupied) must now exceed 5,300; that the rateable value of the parish of Rushden was, in 1879, £7,292, whereas it is now, in spite of reductions in assessment of agricultural land, over £12,000; that, while throughout the union, in the aggregate, there is one guardian for every 1,000 persons, Rushden has only two guardians for a population of 5,300 or more; that the Board of Guardians passed a resolution, on the 7th of April 1887, that application be made to the Local Government Board for an additional guardian for Rushden, on account of its large increase of population; that the Local Government Board, in several letters, has admitted that Rushden is entitled to increased representation; and, whether, having regard to the increased population of the whole union, and to the very great increase in the population and rateable value of Rushden, the Local Government Board will consent to an additional member of the board for the union to represent Rushden?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Local Government Board, both last year and in the present year, received a representation from the Guardians of the Wellingborough Union, in favour of an increased representation of the parish of Rushden on the Board of Guardians of that Union. The number of Guardians for Rushden has not been increased since the formation of the Union. I have no reason to doubt the accuracy of the statements in the Question as to the number of houses in the parish, and its population and rateable value; but I have no means of verifying the statements as to certain of these particulars. There is some case in favour of an increased representation of the parish, and the Local Government Board would not be unwilling to assign an additional Guardian to Rushden, provided that the total number of Guardians, which is 38, is not increased. With that view the Board proposed that the parish of Strixton, which, according to the Census of 1881, had a population of only 75, should be annexed to another parish for the purpose of the election of Guardians. The Board of Guardians have hitherto been opposed to this proposed annexation, but before the next annual election of Guardians takes place, the Board will consider whether the changes referred to as regards Rushden and Strixton should not be made, notwithstanding the objection of the Guardians.

LIGHTHOUSES (IRELAND)—CONNECTION WITH THE MAINLAND.

SIR EDWARD WATKIN (Hythe) asked the Secretary to the Board of Trade, Whether the Government intend to make progress with the Bill to amend "Lloyd's Act, 1871," in order to enable "Lloyd's" to connect lighthouses with the mainland, and especially to connect Tory Ireland with the mainland of the north-west coast of Ireland?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Bill to which the hon. Baronet refers is one to confer upon Lloyd's certain powers with respect to sites for signal stations, and it is intended to pro-

ceed with it; but the details of the measure are still under consideration.

SCOTCH LOCAL TAXATION RETURNS.

SIR GEORGE BALFOUR (Kincardine) asked the Lord Advocate, If the Department of the Secretary for Scotland will expedite the Scotch Local Taxation Returns, so as to lessen the long period between the date for which prepared, and the date on which these Returns are in the hands of Members, for instance, the last delivered Returns for 1884-5 were only delivered nearly three years after date, on the 22nd June, 1887, and these Returns, though ordered by the House to be printed on the 24th June, 1886, were only available a year later?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities), in reply, said, the Secretary for Scotland would take steps to expedite the issue of these Returns, which should be in the hands of Members as early as possible. He might be allowed to state that, in his previous answer to a Question of the hon. and gallant Member, he did not intend to suggest that there had been any dilatoriness on the part of the Board of Supervision, or the Crown Authorities, in the work done by them.

PRISONS (ENGLAND AND WALES)—TENDERS FOR DRUGS, &c.

MR. PICTON (Leicester) asked the Secretary of State for the Home Department, Whether, in April, 1886, tenders were invited for the supply of drugs and sundries to Her Majesty's Prisons; whether the accepted tender was at the rate of 12½ per cent discount off the list of prices supplied by the department; whether one of the rejected tenders was at the rate of 20 per cent discount; and, whether the firm sending in the lower tender has been in the habit of supplying several great hospitals, and furnished testimonials of competency and trustworthiness from upwards of thirty well known medical men in various parts of Great Britain and Ireland; and, if so, whether a reason can be assigned for the payment of a price 7½ per cent higher than that for which the drugs could have been obtained?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I am informed by the Chairman of the Prison Commission that the facts are substantially as stated in the Question. It is held, and very reasonably, by the Medical Inspector of the Department, that contractors who have been tried and tested as supplying pure drugs should be preferred, unless some considerable advantage is to be gained by not doing so. The difference of price referred to in the Question would not, for the whole of the prisons, amount to more than £95. I see no reason to interfere with the practice of the Department, which is, I believe, similar to that followed in other Public Departments and large hospitals.

WAR OFFICE — THE ORDNANCE INQUIRY COMMISSION — LIEUTENANT COLONEL HOPE AND CAPTAIN ARMIT.

SIR WILLIAM CROSSMAN (Portsmouth) asked the Secretary of State for War, Whether Lieutenant Colonel Hope, V.C. and Captain Armit stated, in paragraph 228 of the Report of the Ordnance Inquiry Commission, as the witnesses "who charged corruption against certain Officers and gentlemen in connection with the system of contracts for stores for the public service," which charges are stated to be, in the opinion of the Commissioners, in the last paragraph of their Report, "false and unfounded," still hold commissions in the Volunteer Forces; and, if so, whether the Government, under the circumstances, intend to take any, and, if so, what, steps with reference to these Officers?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Sir, Her Majesty has been advised to dispense with the services of Captain Armit. As regards Colonel Hope, his case rests on a somewhat different ground, and my decision is contained in a letter, which I caused to be addressed to Captain Noble on the 27th instant, which, with the permission of the House, I will read.

"War Office, June 27, 1887. Sir,—I am directed by the Secretary of State for War to acknowledge the receipt of your letter of the 14th inst., relative to the charges made against yourself and others which have recently been investigated by a Royal Commission. Mr. Stanhope entirely agrees with the finding of the Commissioners that these charges were based on pretexts which were 'not enough to raise in any fair mind even a passing suspicion that there

might be corruption,' and as regards the transactions in which you were more immediately concerned, that the charges were 'not only wholly unfounded, but there never was any evidence whatever to justify their being made.' He finds it difficult adequately to express his condemnation of the conduct of those who have made these false, calumnious, and disgraceful charges; but the whole subject having been referred by his Predecessor to a Judicial Commission, and the Commissioners having reported that in their opinion Colonel Hope's charges, though 'culpably reckless,' were not 'intentionally false'—that Colonel Hope 'had admitted his mistakes with honourable candour,' and had 'more or less atoned for his conduct in making these charges by the frankness with which he had admitted his mistakes when they were pointed out to him,'—Mr. Stanhope feels himself debarred from taking any action against that officer. As regards Captain Armit, His Royal Highness the Field Marshal Commanding-in-Chief has submitted to Her Majesty that he be removed from the Volunteer Service.—I am, Sir, your obedient servant, RALPH THOMPSON."

SIR WILLIAM CROSSMAN asked, whether the right hon. Gentleman's attention had been called to a pamphlet, in which Colonel Hope virtually repeated some of the charges in question?

MR. E. STANHOPE, in reply, said, that he had seen the pamphlet referred to, and it was under his consideration; but as regards that pamphlet it was open to him to bring an action against Colonel Hope, if he thought any of the charges made in that justified such action.

THE AUSTRALIAN COLONIES—FRENCH OCCUPATION OF THE NEW HEBRIDES.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, Whether, having regard to the strong interest felt by the Australian Colonies in the maintenance of the engagements entered into by Great Britain and France for the non-occupation by either Power of the New Hebrides, he can state what progress is being made in the negotiations with the French Government on the subject, and can assure the House that there is reason to expect a speedy withdrawal of the French troops from the position they now occupy in those islands?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Our representations to the French Government have not at present resulted in the acceleration of the negotiations; but I still hope that the discussions with that Government will very shortly be concluded, and that the withdrawal of the detachments in the New Hebrides will be arranged.

MR. BRYCE asked, whether, considering the great length to which these negotiations had extended, the right hon. Gentleman could not state any date when they might expect to learn the result?

SIR JAMES FERGUSSON, in reply, said, as far as Her Majesty's Government were concerned, there had been no delay, and no ground for delay. But, while awaiting a reply from a Foreign Government, it was impossible to ask that a date should be fixed.

TRUCK BILL—THE BELFAST SHIPWRIGHTS.

MR. SEXTON (Belfast, W.) asked the Secretary of State for the Home Department, With regard to the fact that six thousand shipwrights, lately on strike in Belfast, in consequence of the refusal of their employers to pay wages weekly instead of fortnightly, have returned to work, after petitioning this House, in the hope that the House would favourably regard their claim, what provision the Government will agree to have inserted in the Truck Bill to regulate the weekly payment of wages?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): If the hon. Member was present at the discussion on the Truck Bill on Tuesday, he will be aware of the great difficulty felt by the Government in framing any fixed rule as to the period of payment of wages which would suit the varying circumstances of all industries. I observe that some clauses have been set down for consideration on Report of the Truck Bill, and the House will then have an opportunity of further considering the question. Personally, I am in favour of weekly or fortnightly payment of wages where the workmen are paid according to time, and where no special circumstances exist to render impossible the weekly or fortnightly measurement of the work done. I could not, however, without Notice, say whether I could advise the insertion of a clause dealing with the matter.

LAW AND JUSTICE (IRELAND)—QUARTER SESSIONS AT NENAGH.

MR. P. J. O'BRIEN (Tipperary, N.) asked the Chief Secretary to the Lord

Lieutenant of Ireland, Whether, at the recent Quarter Sessions at Nenagh, in the North Riding of Tipperary, on the 8th June, the only case for trial was one for the larceny of a duck; whether the finding of the Grand Jury in the case was "no bill;" whether witnesses were brought from Roscrea, a distance of twenty miles, and jurors from their homes even more distant; whether five jurors had fines of £2 2*s.* each recorded against them, for not at once answering to their names, although no petty jury was empannelled; whether the Crown Solicitor, Mr. George Bolton, was in attendance, in charge of this prosecution; how much did this alleged larceny of the duck cost the county; whether he will consider the advisability of having such cases disposed of by the magistrates in the district at Petty Sessions; and, whether, in face of such an entire absence of crime in the North Riding of Tipperary, the extra police will be withdrawn from that district? The hon. Member said, he wished to draw attention to the fact that a passage in his question relating to the enormous expense incurred in bringing such trifling cases before a Court of Quarter Sessions had been expunged.

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, it was only his duty to answer Questions as they appeared on the Paper. He was informed that the facts were substantially as stated in the first three paragraphs of the Question. The jury panel was called over, and it was imperative on the Court to call over the panel whether there were any cases for trial or not. Some jurors had fines recorded against them, but they afterwards attended and got these fines remitted. Mr. Bolton did not appear to have had anything to say to the criminal proceedings. Mr. Bolton happened to be present, but he did not interfere in the case. The expenses of the prosecution referred to in the Question had not yet been ascertained. They would probably not exceed £3. The Government could not adopt the suggestion of the hon. Member as regarded the disposal of cases by magistrates, who must be clearly guided by the merits of each case. The question of the reduction of the police force in the North Riding of Tipperary had been considered, and a reduction of 10 men had been approved of from the 20th instant. No further reduction could at present be made.

MR. CHANCE (Kilkenny, S.) asked what fee would be paid the Crown Solicitor for attending to prosecute about this expensive duck?

COLONEL KING-HARMAN: I must ask for Notice of the question.

MR. EDWARD HARRINGTON (Kerry, W.): Would the right hon. and gallant Gentleman say whether the duck was included in these fees?

[No reply.]

RIOTS AND ASSAULTS (IRELAND)—THE RECENT RIOTS AT CORK.

MR. HOOPER (Cork, S.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has been informed that, at a meeting of magistrates of the City of Cork, held on Monday on the requisition of the Mayor, it was resolved unanimously to request the Government to order a sworn inquiry into riots which occurred in Cork on the previous Tuesday, their cause, their result, and the police arrangements existing on the occasion; whether, in the event of such inquiry taking place, the Mayor of Cork will be a member of the Court of Inquiry; and, upon what grounds Captain Plunkett, Divisional Resident Magistrate refused to attend the above-mentioned meeting of magistrates, though requested to do so?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: I have already replied to the first paragraph of this Question. As regards Captain Plunkett's absence from the meeting, I have not had time to receive a statement from him on the subject; but I presume that he had other official engagements.

WAR OFFICE—SMALL ARMS FACTORY, ENFIELD—DISCHARGE OF WORKMEN.

MR. J. ROWLANDS (Finsbury, E.) asked the Secretary of State for War, Whether, during the last few weeks, there have been about 500 men discharged from the Royal Small Arms Factory at Enfield; and, whether it is intended to still further reduce the number of men employed?

MR. PICKERSGILL (Bethnal Green, S.W.) asked, Whether large sums had

not recently been spent in extending the buildings and machinery at Enfield, to the amount of £32,000 for the latter, and £20,000 for the former?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said: I must ask for Notice of this latter Question. The discharges at Enfield from all causes since the 1st of April have been 152, of which 60 have been by way of reduction. No decision has yet been come to as regards further reductions.

ADMIRALTY—THE MAXIM GUN.

MR. HULSE (Salisbury) asked the First Lord of the Admiralty, Whether the Maxim Gun has been fired without fault since Mr. Maxim visited Portsmouth to instruct the sailors in loading and handling the gun and magazines; and, whether the so-called failing of the gun when Members of the House were present on the invitation of the noble Lord the Member for East Marylebone, was due solely to the fact that the sailor had not previously been instructed in its use?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The gun in question has been successfully fired by Mr. Maxim since his visit to Portsmouth, but it took a day to put it in order before firing. The failure of the gun on the occasion referred to was not from any want of instruction on the part of the seamen who fired it, but owing to one of Mr. Maxim's men having changed the gun which had been prepared for firing for one that was out of order.

LAW AND JUSTICE (IRELAND)—THE ATTORNEY GENERAL'S SALARY.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in the event of a vacancy taking place in the office of Attorney General for Ireland, the emoluments of that office will be fixed in accordance with the terms fixed by the Treasury, and stated in the letter from the Secretary to the Treasury to the Chief Secretary, dated 10th April, 1886?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The present Irish Government agree with the opinion held by their Predecessors, and conveyed to the Lords of the Treasury by the right hon. Gentleman the Member for Newcastle (Mr. John Morley) in his letter of May 27, 1886—namely, that it would not be reasonable or fair to fix the salary at a less rate than £5,000 a-year.

MR. HENRY H. FOWLER gave Notice that, at the earliest opportunity, he would take the opinion of the House upon the question whether the decision of the late Government that the salary should be £4,000 ought not to be adhered to.

LAW AND JUSTICE (IRELAND)—REDUCTION OF JUDGES.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, When he proposes to introduce a Bill for a reduction of the number of the Irish Judges; and, whether, in the event of any vacancy occurring in the Judicial Bench, he will take care that no fresh appointment is made until Parliament has had the opportunity of considering such Bill?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Government have already expressed their desire to see the number of Irish Judges reduced; but, having regard to the present state of Public Business in the House, they are unable to say when they will be in a position to propose legislation on the subject. They will do so as soon as possible.

MR. HENRY H. FOWLER: May I point out that the right hon. and gallant Gentleman has not answered the second part of the Question?

COLONEL KING-HARMAN: The Government cannot undertake to adopt the suggestion of the right hon. Gentleman.

Subsequently,

MR. CHILDERS (Edinburgh, S.) said: I wish to ask a Question arising out of the answer given to the previous Question of my right hon. Friend the Member for Wolverhampton; and it is only fair to explain to the House what is exactly the purport of my Question. When the Bill dealing with the Chief Judges of the Irish Courts was passing through this House there was considerable opposition to it on this side, and in

the end an arrangement was made between the present Chief Secretary for Ireland (Mr. A. J. Balfour) and myself that that opposition should not be carried on, on the distinct agreement by the Chief Secretary for Ireland that he would bring in, during the present Session, a Bill to deal with this question of the number of Irish Judges on the lines of the Bill which I brought in in 1885. He was careful to say there might be differences on some points of minor detail, but that the Bill should be based on the Bill of 1885, and should be brought in as early as possible. The answer which the right hon. and gallant Gentleman the Parliamentary Under Secretary just gave was that he could not say whether such a Bill could be brought in or not; and I rise to appeal to the Leader of the House, in order that we may have an assurance from him that the pledge given by the Chief Secretary for Ireland will be redeemed in its entirety.

MR. HENRY H. FOWLER: Before the right hon. Gentleman answers the Question, I should like to ask him whether he is not aware that I withdrew an Amendment which stood in my name against the Supreme Court of Judicature (Ireland) Bill, which would have prevented the appointment of an additional Judge, on the distinct pledge given by the Chief Secretary for Ireland that the Government would bring in a Bill to reduce the number of Irish Judges? I would ask whether the Government will take care, in the circumstances, that no additional Judges are appointed?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Any engagement which the Government have entered into with the House will be observed in letter and in spirit. They will not withdraw in any degree from the spirit of the engagement into which they have entered. The right hon. Gentlemen are both aware that it is not within the power of the Government to force a measure on Parliament of this character. I will undertake that the engagement, whatever it was, shall be exactly fulfilled.

THE ROYAL TITLES—THE TITLE OF "EMPRESS."

MR. HOWELL (Bethnal Green N.E.) asked the Secretary of State for the Home Department, Whether the signature to the Queen's Letter of Thanks, issued at Windsor Castle on 24th June, and addressed to the Secretary of State for the Home Department on Saturday 25th June, is in accordance with the solemn pledges given in Parliament by the Lord Chancellor and the Prime Minister in 1876, when the Royal Titles Bill was carried, when the former stated, "We, the Government, will endeavour to prevent the use of the title in the United Kingdom," and the latter said "I am sure that under no circumstances would Her Majesty assume . . . . the title of Empress in England;" and, whether the Government will undertake that in future the title of Empress shall only be used in accordance with the pledges given in 1876?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Queen's Letter of Thanks was addressed to her whole people, including her Indian subjects, many of whom took part in the festivity of the past week. Hence the use of the title Empress. But in all documents relating to the business of the United Kingdom Her Majesty abstains from using the title of Empress. It does not appear to the Government, therefore, that there has been any violation of the assurances given in 1876.

MR. HOWELL asked, whether the right hon. Gentleman had had his attention drawn to the fact that in 1876, when the Royal Titles Bill was carried, the Lord Chancellor said the title of Empress should be "localized to India?"

[No reply.]

INLAND NAVIGATION AND DRAINAGE (IRELAND)—DRAINAGE OF THE RIVER BARROW.

MR. LEAHY (Kildare, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What steps have been taken about the drainage of the River Barrow; and, whether, with a view to the progress of work, and the relief of the great distress in the district amongst the labouring class from the want of employment, the Government will take the necessary steps to have the works commenced this summer?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The hon. Member is aware that legisla-

tion would be necessary to enable the Government to adopt or carry out any general scheme with regard to the drainage of the Barrow. The Government propose to undertake the preliminary surveys necessary for the preparation of a Bill dealing with the case of the Barrow; and they hope also to be able to carry out some minor work on the river, which can be effected without change in the law if no difficulties are raised locally. The expense of these proceedings will be a charge upon the sum of £50,000, which, in compliance with the promise of my right hon. Friend the Chancellor of the Exchequer, the House will be asked to vote for expenditure in Ireland during the present financial year.

POSTAL ARRANGEMENTS IN THE NORTHERN PACIFIC — ALTERNATIVE MAIL SERVICE *vid* VANCOUVER.

CAPTAIN COLOMB (Tower Hamlets, Bow, &c.) asked Mr. Chancellor of the Exchequer, Whether he has received any telegram from the Chamber of Commerce of Hong Kong, or from the Chamber of Commerce of Shanghai, advocating an alternative mail service *vid* Vancouver; and, if so, whether he can state to the House the contents of such telegram?

MR. BADEN-POWELL (Liverpool, Kirkdale) asked, whether the right hon. Gentleman had received any telegrams to the same effect from other Chambers of Commerce?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): There has been a somewhat remarkable simultaneous flow of telegrams from various parts of the world. The Chairman of the Chamber of Commerce of Hong Kong has telegraphed to me as follows:—

"On supposition that the speed of mails will be greatly accelerated and on political grounds, this chamber now approves fortnightly service *via* Canada, providing there is no increase in this colony's contribution to the Postal Union."

I have also received, indirectly, a telegram from the Shanghai Chamber of Commerce, warmly advocating this alternative route, and also a telegram to the same effect from the Chamber of Commerce at Foochow. Similar telegrams have been received from several Chambers of Commerce in the United Kingdom.

FACTORIES ACTS—FACTORY INSPECTOR IN BELFAST.

MR. SEXTON (Belfast, W.) asked the Secretary of State for the Home Department, Whether there is a vacancy in the office of Factory Inspector in Belfast; and, whether, if so, he will appoint a competent working man to the position?

MR. JOHNSTON (Belfast, S.) asked, whether an application for the post had already been sent in by a Nationalist?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): There is no vacancy in the office.

PUBLIC BUSINESS—ULSTER CANAL BILL.

MR. SEXTON (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland; Whether the Government intend to bring in the Ulster Canal Bill this Session?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said, the Government would be very glad to bring in the Ulster Canal Bill, if the hon. Gentleman could give him the assurance that it would not be opposed, as it was before, by hon. Members who sat near the hon. Gentleman.

INLAND DRAINAGE AND NAVIGATION (IRELAND)—DRAINAGE OF THE RIVER BARROW.

MR. W. A. MACDONALD (Queen's County, Ossory) asked Mr. Chancellor of the Exchequer, What portion of the sum of £50,000, which he has promised to devote to purposes of Irish improvement, it is intended to expend on the drainage of the Barrow; and, whether the work can be commenced at once?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): This Question has already been answered. I am afraid it will not be possible to undertake works costing more than £5,000 upon the Barrow during the present financial year. There will be no delay in commencing the work in question, and preparatory steps are already being taken by the Irish Authorities.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—REVIEW AT ALDERSHOT.

MAJOR-GENERAL GOLDSWORTHY (Hammersmith) asked the Secretary of

State for War, Whether facilities cannot be afforded for the families of Members of Parliament to view the Royal Review of Troops, at Aldershot, on 9th July?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle), in reply, said, he was sorry to say there would be comparatively little accommodation for Members of the House and their families on the stands erected near the scene of the forthcoming Review. He had not thought it right to submit any estimate for the purpose of defraying the cost of erecting a stand for Members. On the stand that was being built there, there would be 250 places for Members of the House of Lords and 400 for Members of the House of Commons. But there would also be an enclosure for carriages and other places from which the Review could be seen. As to refreshments, there would be a contractor on the ground who would supply them.

MR. C. H. WILSON (Hull, W.) asked, what means would be taken to test the security of the seats to be erected at Aldershot on the occasion of the Review; and, also whether, as the accommodation appeared to be limited, the Secretary of State would see that larger accommodation was provided, making the necessary charge for it?

MR. E. STANHOPE said, a contractor was putting up certain seats, of which 400 had been allotted to Members of the House of Commons and the remainder would be let by the contractor.

INTERMEDIATE EDUCATION (WALES) —THE BILLS.

MR. RICHARDS (Merthyr Tydvil) asked the First Lord of the Treasury, Whether, as he deems it too late in the Session to refer the two Welsh Intermediate Education Bills to a Select Committee, he will afford an opportunity for the discussion of these measures by the House?

MR. KENYON (Denbigh, &c.) asked the First Lord of the Treasury, Whether the Government are prepared to recognize the great interest taken in the subject of Welsh Intermediate Education throughout the Principality by the appointment of a Select Committee to consider the Bills which now stand for Second Reading in the House; and, if not, whether they will give the whole question their serious consideration during the Recess, with a view to legislation at as early a period as possible in the next Session of Parliament?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): In answer to the Questions of the hon. Members for Merthyr Tydfil and for Denbigh, I regret that it will be impossible at this period of the Session to read the two Welsh Intermediate Education Bills a second time, and then send them to a Select Committee; but recognizing the great interest taken in the subject, Her Majesty's Government will, during the Recess, give the matter their careful consideration with a view to legislation next Session.

BUSINESS OF THE HOUSE — COAL MINES, &c. REGULATION BILL.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the First Lord of the Treasury, Whether he can name a day when the Coal Mines Bill will be proceeded with?

MR. TOMLINSON (Preston) asked, whether the Bill would be reprinted?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I will undertake to see if the Bill can be reprinted. It is within the knowledge of the hon. Member (Mr. J. E. Ellis) that an endeavour is being made to arrive at an understanding with hon. Members who have a practical knowledge of the questions dealt with in the Coal Mines Bill as to the Amendments which they deem to be of importance. I have every hope that a practical agreement will soon be arrived at, and directly I am able to do so, I will confer with hon. Members who are interested in the measure, and arrange for its further progress.

BUSINESS OF THE HOUSE— RAILWAY RATES BILL.

MR. HENEAGE (Great Grimsby) asked the First Lord of the Treasury, What course the Government propose to take in reference to the Railway Rates Bill; and, whether, considering that a similar Bill was fully discussed and read a second time last year in this House, and that the present Bill has been sent down from the House of Lords, the Government will endeavour to obtain the

Second Reading at an early date, in order that it may be sent to a Select Committee, with a view of becoming Law during the present Session?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Government are anxious to proceed with the Bill, and if the House will accept the suggestion of the right hon. Gentleman to read the Railway Rates Bill a second time, and refer it to a Select Committee, with a view to its becoming law this Session, I shall be glad to do all in my power to afford facilities for the purpose.

MR. MUNDELLA (Sheffield, Brightside) doubted whether the right hon. Gentleman the First Lord had considered it would be unsatisfactory to refer so important a measure to a Select Committee in the month of July. He (Mr. Mundella) for one, would be unwilling to serve on a Committee appointed at such a time.

MR. W. H. SMITH: I have only said that if the House desires that the course suggested in the Question should be taken, I shall be glad to facilitate it. Of course, if the right hon. Gentleman, who has special knowledge of this subject, desires to delay the progress of the measure, he can oppose the course which is suggested.

MR. MUNDELLA (who rose amid cries of "Order!"): My only reason for rising is to disclaim any desire to delay this Bill. Therefore, I am quite in Order. I think the House knows something about the interest which I take in the measure. I desire that the House should get on with it; but I believe that the course which is proposed will prevent the due discussion of it.

EGYPT — THE ANGLO-TURKISH CONVENTION — RUSSIA AND FRANCE.

MR. R. T. REID (Dumfries, &c.) asked the First Lord of the Treasury, Whether Russia or France have remonstrated against the proposed conditions of the Convention now being promoted by Sir Henry Wolff; and, whether the Government propose to give the House an opportunity of considering the provisions of that Convention before it is finally ratified?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Neither France nor Russia has made any communication whatever to Her Majesty's Government with reference to the ratification of the Turkish Convention. That Convention has been ratified by the Queen; but, at the present moment, the Sultan, as stated in the other House of Parliament, a few days ago, has requested a few more days before finally ratifying it.

Subsequently,

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I rise for the purpose of putting a Question, with the view of removing what appeared to be an ambiguity in the answer given by the right hon. Gentleman in regard to the Turkish Convention. The expression used by the right hon. Gentleman, I think, was that the Sultan had requested "a few more days'" delay before finally ratifying the Convention. I only wish to know, simply for the sake of preventing any misapprehension, whether the Sultan has requested a few days' delay for the further consideration of the entire subject, or has signified his intention of ratifying it; or had stated his desire that the ratification should be delayed for a few days?

MR. R. T. REID: Before the right hon. Gentleman answers that Question, I beg to ask, are we to understand that the Convention has been signed or concluded so far as Her Majesty's Government is concerned? I mean, is it still open for Her Majesty's Government to withdraw or resile from that Convention?

MR. W. H. SMITH: I am much obliged to the right hon. Gentleman for allowing me to correct a slight ambiguity in my answer. He is correct in saying, or suggesting, that the Sultan of Turkey has requested further time for the consideration of the question. We have received no engagement that it will be absolutely ratified, though we have every reason to believe that it will be. I believe that it is a fact that Her Majesty's Government are bound by the signature of the Convention. What I intended to convey was, that the ratifications had not been exchanged.

MR. LABOUCHERE (Northampton) asked, whether the Leader of the House laid it down that this country, or any country, was bound by the terms of a Treaty until the ratifications had been exchanged.

MR. W. H. SMITH: As the hon. Member for Northampton is aware, no Treaty is binding on a country until the ratifications have been exchanged; but Her Majesty's Government are bound by the signature which has been given.

TITHE RENT-CHARGE BILL.

In answer to Mr. H. GARDNER (Essex, Saffron Walden),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand-Westminster) said, that it was the hope of the Government that they would be able to pass the Tithes Rent-charge Bill that Session; but he was not then able to state when it would be introduced into the House.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—NAVAL REVIEW AT SPITHEAD.

In answer to Mr. W. LOWTHER (Westmoreland, Appleby),

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing): On the occasion of the naval review at Portsmouth on Saturday, July 23, 1887, the Admiralty will arrange for the accommodation of those Members who wish to attend. Tickets of admission to H.M.S. *Crocodile* will be placed at the disposal of the Speaker for issue to Members who wish to be present. The tickets will not be transferable. Arrangements will be made for special trains to convey Members from London into Portsmouth Dockyard, and the particular train will be indicated on the tickets. These railway tickets will be procurable some days before the 23rd, such tickets being available for the return journey on Saturday, Sunday, or Monday. It would assist the Admiralty in the arrangements they are now making were Members to apply at once to the Speaker, so that the Admiralty may be informed of the total number of tickets required.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.

MR. CHANCE (Kilkenny, S.) asked, Whether the Government were prepared, in accordance with their promise, to state the result of their consideration as to the necessity of an Amendment providing that the 14 days for the consideration of a proclamation should include a certain number of effective Parliamentary days?

THE PARLIAMENTARY UNDER SECRETARY FOR IRELAND (Colonel KING-HARMAN) (Kent, Isle of Thanet), in reply, said, that he did not know that any such engagement had been entered into by the Government.

MR. CHANCE said, that the Attorney General for England had distinctly said that he would consider the question.

MR. HANBURY (Preston): I beg to ask the First Lord of the Treasury, whether he does not think it would be more convenient for the House, if the Chief Secretary to the Lord Lieutenant of Ireland was present?

Subsequently,

MR. CHANCE asked the Attorney General for England, if he could throw any light upon the question of the 14 days?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight), in reply, said, he could not then deal with the question. It would have to be dealt with when the clause in question was before the House.

CRIMINAL LAW AMENDMENT (IRELAND) BILL AND THE IRISH LAND LAW BILL.

MR. SEXTON (Belfast, W.) asked, Whether the Irish Land Law Bill, which would come down next week from the other House, would be read a second time before the passing of the Criminal Law Amendment (Ireland) Bill, or whether the Government intended to force through the latter Bill before making any progress with the former Bill.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he did not think it would be possible to read the Irish Land Bill a second time before the House was asked to read the Criminal Law Amendment Bill a third time.

MR. H. GARDNER (Essex, Saffron Walden) asked the Leader of the House, whether he did not intend to answer the question of his hon. Friend the Member for Preston (Mr. Hanbury)?

MR. W. H. SMITH: It is obvious that it was a question which was asked under the heat of the moment, and I am not called upon to answer it.

MR. HANBURY (Preston): Then I beg to give Notice that on the Estimates

I shall call attention to what I consider a novel Parliamentary practice of questions relating to Ireland being answered by the Parliamentary Under Secretary instead of the Chief Secretary.

MR. J. MORLEY (Newcastle-upon-Tyne) asked the Leader of the House, with reference to his reply to the hon. Member for West Belfast (Mr. Sexton), when he said that the House should have the Irish Land Law Bill before it, before it was asked to read the Criminal Law Amendment (Ireland) Bill a third time, whether what he meant was that the Bill should be on the Table of the House, or whether he meant, as they all supposed, that the House should first have some opportunity for its consideration.

MR. W. H. SMITH: I have uniformly said that the House should be in possession of the Irish Land Law Bill before we parted with the Criminal Law Amendment (Ireland) Bill, and I will redeem that promise by taking care that the Bill shall be read a first time and printed, and in the hands of Members before we ask the House to read the Crimes Bill a third time.

MR. SEXTON: May I ask whether the Bill does not read itself a first time on coming down to the House?

[No reply.]

MOTIONS.

PARLIAMENT—THE NEW RULES OF PROCEDURE (1882)—RULE 2 (ADJOURNMENT OF THE HOUSE).

EGYPT—THE ANGLO-TURKISH CONVENTION—RATIFICATION.

MOTION FOR ADJOURNMENT.

SIR WILFRID LAWSON (Cumberland, Cockermouth) rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely, the expediency of the Egyptian Convention being considered by this House before its final ratification. The hon. Baronet said, with reference to a Notice which he had put into the Speaker's hand, intimating that he intended to move the adjournment of the House in order to discuss the Egyptian Convention before it was ratified, he begged to state that the answer made by the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) on that subject had altered the situation. The right hon. Gentleman declared that as, far as this country was concerned—[*Cries of* "No, no!" *and interruption.*] What he wished to state was that, as he understood, the right hon. Gentleman said that the affair was settled so far as this country was concerned—[*Cries of* "No, no!"] Then, in order to make the matter clear, he would conclude by asking a Question—Was it possible that any alteration could be made in this Convention subsequently to this date by Her Majesty's Government?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): No, Sir; it is not possible that any change can be made in the terms of the Convention by Her Majesty's Government at the present moment.

An hon. MEMBER: Why?

MR. W. H. SMITH: The Convention has received the signature of the Queen.

SIR CHARLES RUSSELL (Hackney, S.): Does the right hon. Gentleman lay down the proposition that when a Treaty has been signed by Her Majesty and has not been accepted by the other Powers, it is not within the power of Her Majesty's Government, before its acceptance, to withdraw from it?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Of course, that is a Question which should not, under ordinary circumstances, be put without Notice; but, if I may speak for my right hon. Friend, I am sure he has not laid down the proposition that Her Majesty could not withdraw from a Treaty prior to its acceptance by other Powers.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked, whether Her Majesty's Government would be bound by the Convention if the other parties did not ratify it within some limited time?

MR. W. H. SMITH: It is obvious that unless the other parties to the Convention ratifies it, the ratification of Her Majesty falls to the ground.

SIR WILFRID LAWSON said, he thought that after what had just passed he was justified in moving the adjournment of the House for the purpose of discussing, as a definite matter of urgent public importance, the expediency of the Egyptian Convention being considered

by this House before its final ratification.

The pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

SIR WILFRID LAWSON said, he submitted that he was right in proposing that the House should seize on this Convention before it was finally settled by the Representatives of the Government. He thought the House had not been properly treated in this matter. There was no doubt that this Egyptian Question, whatever divergent views they might take of it, was a very important one, having far-reaching consequences both to the welfare of the Egyptians and the people of this country. They had been told that they had gone to Egypt simply and solely for the purpose of restoring law and order, and that when that mission was accomplished they should withdraw from that country. Now, however, they were told that Sir Henry Drummond Wolff was making a Convention, bearing on important points in connection with their relations towards Egypt. His point was, that either the law and order which they went to Egypt to restore had been restored or it had not been. If law and order had not been restored, and they were leaving Egypt without restoring it, that was a great change in their Egyptian policy, which ought to be laid before the House. But they knew nothing whatever about it. The House was kept in perfect darkness on what at the present day was, perhaps, the most important point of all their foreign policy. Some people told him that the whole Convention was nothing more than a sham. If that was the case, he did not see why the Government should hesitate to lay it before the House, and he should think it would be very popular—a sham. Other people said it was a new departure altogether in our policy. The only departure he saw about it was the departure of Sir Henry Drummond Wolff from Constantinople, which, no doubt, would be a very great grief to the noble Lord the Member for South Paddington (Lord Randolph Churchill), but which would mean a saving of £5,000 a-year to the British taxpayer. Other people, again, said it was likely to lead this country into all sorts of difficulties and complications with France and Russia. When they came to the House and asked for information the right hon. Gentleman the Under Secretary of State for Foreign Affairs (Sir James Fergusson) told them absolutely nothing. He did not believe in all these secret negotiations. There was an old proverb applying in private, and especially in public affairs, that where there was mystery there was mischief, and where a Government dared not tell this House what they were doing you might be pretty sure they were doing something wrong. If the most important matters of foreign policy were to be utterly ignored and kept from them, he did not see the use of an Under Secretary for Foreign Affairs or of the House of Commons. He therefore appealed for information. Did not the Government think that he and his hon. Friends had a right to make this appeal? Had the House of Commons not seen these things done before? Hon. Gentlemen who were Members of the Parliament of 1882 could remember all that went on before we undertook operations in Egypt—how a few Radicals kept putting Questions day after day to the Government because they suspected mischief; how they received evasive answers to their Questions, and sometimes no answers at all. Then when the war cloud burst, all the sin, the shame, the sorrow, and the suffering which were endured for those five years were in consequence of this policy of secrecy being adopted, and the House of Commons not being consulted in the matter. Had the House of Commons been consulted £35,000,000 of our money might have been saved and thousands of lives spared, the bad state of feeling which existed between us and foreign Powers prevented, but which now existed owing to this policy having placed us in a contemptible position in the face of the world. He desired, therefore, to make this protest, and, if possible, to get this matter discussed before it was finally settled. He would continue to protest against our being dragged blindfold again into all the horrors which had been endured owing to a secret policy having been followed.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Wilfrid Lawson.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I am sure the hon. Baronet will not expect me to enter into a discussion on the question he has raised while the negotiations respecting it are still going on.

SIR WILFRID LAWSON: Yes, certainly I do.

MR. W. H. SMITH: Well, I have a duty to perform to the House and to the country; and I consider that I should be wanting in that duty if I broke through the rule which has been observed by all Governments up to the present time—and that is to refrain from discussing a Treaty while in process of negotiation and while proceedings are going on. The whole responsibility of the conduct of these negotiations rests with Her Majesty's Government. They will be prepared to produce Papers in justification of the course they have pursued, or as soon as they have by Constitutional usage had an opportunity to do so. But when the hon. Baronet asks that the Government shall come to this House step by step and acquaint this House with the progress of the negotiations which they believe they have undertaken in the interests of the country—not to bring about a state of war and mischief such as the hon. Baronet has thought fit to imply, but to secure peace and good order in Egypt and in Europe—then I say we are not prepared to follow the hon. Baronet in the course which he undertakes. We are not prepared to imperil negotiations which we believe necessary to the interests of the State, and to give any explanation as to the steps we have taken until the time arrives when our mouths shall be open and we have had an opportunity of doing so in the ordinary course. I repeat that hon. Members may be assured that not a single moment will be lost by the Government in presenting Papers to the House and in giving an explanation of the policy of the Government as soon as they are at liberty to do so.

MR. R. T. REID (Dumfries, &c.) said, the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) had misunderstood the wish and the request of his hon. Friend the Member for Cockermouth (Sir Wilfrid Lawson). The hon. Baronet did not ask that the House of Commons should be consulted pending negotiations, nor that the Government should come step by step while negotiations proceeded in order to obtain the opinion of the House. What his hon. Friend asked was that before the final ratifications of a Convention of which the House knew nothing were concluded, an opportunity should be given to Parliament to consider and discuss it. The distinction, he thought, was very marked. No one could suppose that a delicate matter of Foreign negotiation could be properly conducted if every phase of it in dispute were to be made the subject of acute controversy in the House. But they considered at the same time that the Constitutional rule ought to prevail—that the House of Commons should have an opportunity of discussing and considering a Treaty of this importance before its final ratification and before the House was left nothing to do in regard to it, except to vote the money in support of it. He thought this was peculiarly necessary in the case of Egypt, because that country during the last 10 years had been made the subject of secret Treaties, notably the Treaty relating to Cyprus. During the last 10 years we had been getting into controversy with other Powers chiefly owing to those secret arrangements which had been made, and before the House of Commons had had an opportunity of objecting to them. He did not assert that it was outside the Constitutional rights of a Government to make a Treaty behind the back of the House of Commons, but he did assert that the Rule ought at all events to be enlarged in favour of extending the jurisdiction of the House of Commons, having in view the experience of the last 10 years. The right hon. Gentleman the First Lord of the Treasury, in answering a Question that afternoon, said the Governments of Russia and France had not addressed remonstrances to the Government regarding this Convention. He did not wish to encumber the Government, but should not the Convention be discussed, considering that there was strong ground for the belief that there was a strong feeling in either France or Russia against the Convention? To his mind this afforded an additional reason why

the House should have an opportunity of considering this Convention before it was too late. He was sure the Government would find that there was no desire to make any carping criticisms upon it, and if it was intended to facilitate and hasten the evacuation of Egypt by our troops, he believed it would receive hearty support.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I think, if I may interpose in this discussion that the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) stated a little broadly the proposition that on no occasion has a Treaty been submitted to this House before ratification. As far as my recollection goes there are occasions on which a Treaty has been submitted to the House before ratification, but, unquestionably, if that has been done it has been rather by way of assuming than by way of avoiding any special responsibility on the part of the Government, because the general and established rule is obviously as it has been stated by the right hon. Gentleman. I am not prepared to say that any Treaty as far as I remember has been submitted to the House before ratification, where it was a Treaty of what may be called high diplomacy, but cases of a character distinct from that. My hon. Friend has moved the adjournment of the House for the purpose of considering the expediency of an investigation of the Egyptian Convention before ratification—that is to say, the expediency either of altering our general and established rule or of making an exception to that established rule. I think my hon. Friend rather left it to be inferred that he was objecting to the general rule as such, and that he was merely asking for an exception in this particular case. Although I hope this discussion may not be protracted, and that my hon. Friend may be disposed to withdraw the Motion, I am bound to make this admission—that the whole circumstances connected with our position in Egypt have been of a character on the one side so indefinite and perplexing, and on the other side so provoking to the public and the House of Commons, on account of the want of fixed guiding lines—grounds upon which reasonable expectations as to the future can be formed—that I am not at all surprised that the natural impatience should find vent even in proceedings of this kind, which I cannot think to be adequate to the breadth and importance of the question which has been raised. I put it to my hon. Friend, after making that allowance, that the question whether Parliament ought to interfere or should have the opportunity of interfering between the signature of treaties and their ratification is one of the highest, gravest, most difficult, involved in the whole of our Constitutional system, and that it is really impossible—I would not say difficult, but impossible -- that a question so broad and so entangled as that can receive anything like adequate discussion on an occasion such as is presented—necessarily without Notice—to the House by a Motion for Adjournment. Without now raising any question as to where the fault has lain or where the misfortune has lain, it is undoubtedly true that the country has been led—and in a great degree unawares—into very costly and very painful and very embarrassing proceedings, extending over a great length of time. But I may venture to point out this, that the principle which my hon. Friend is disposed to contend for had been laid down and established—namely, that the House of Commons should have an opportunity of discussing any engagements of the Crown between the signature of a Treaty and the ratification of it—it would not, in the slightest decree, help him in the matter before us, because the embarrassments into which we have been led in the case of Egypt have not arisen out of any Treaty whatever, either on its signature or ratification. The treaties of Cyprus and Asia Minor were most important, but then they do not touch Egypt. I have myself on former occasions, many years ago, endeavoured to discuss at large this great Constitutional question, in regard to which I do not hesitate to say there is much to be urged on one side as well as the other. But the present system we certainly ought not to alter without well considering what we shall substitute for it. We depend in an extraordinary degree upon the vigour, judgment, and discretion of Her Majesty's Government, and upon the habit which I used to think had been established in this country, of having regard to the known traditions of the country, the known leanings of the country, and taking these as guides in the highly responsible and delicate proceedings which are entrusted to them

by Parliament under our Constitution. But we cannot enter into that question now, and therefore the only question that can be discussed is, whether there is any special reason in the circumstances of the present moment that should induce us to urge on the Government in the case of this very important diplomatic instrument to deviate from their general practice. I do not quite feel that ground had been laid for such an application to Her Majesty's Government. As far as I have understood the declarations of the Government during the present year, they feel that which, undoubtedly, I have for long felt and even expressed in this House—namely, that it is exceedingly desirable—precautions being taken for the honour of the country—that we should be relieved from a situation which I think they are disposed to recognize as one much more of embarrassment than of advantage. Having these declarations from Her Majesty's Government—and I believe I have not misrepresented the purport of what has fallen from them—I am inclined to think that we should do well to wait for the prosecution of this important affair in the usual course. The right hon. Gentleman opposite has entered into a rather stringent engagement to lose no time in producing this instrument, which is about to be ratified, in the House, and I see that my hon. Friend stands in a position of advantage —that is to say, he will be in a position to obtain a very early opportunity of calling the Government to account in case he should see cause to do so. Taking into view the length of time which has elapsed since the House of Commons attempted any interference with the diplomatic affairs connected with Egypt, the right hon. Gentleman will no doubt feel that if there should be any serious desire on the part of the House to have a discussion on this subject, it will be his duty—urgent as is the state of Public Business—to make arrangements for that purpose. It not being possible to raise the general question, and as we have no reason to believe that Her Majesty's Government are moving in a direction opposed to the general sense and feeling of the country or Parliament, I own that I think we should do best to wait the natural and ordinary conclusion of this affair. I will only say, Sir, that as I believe this grave question of the intervention of Parliament will probably meet us again in the shape of a general discussion before any very long period elapses, I think my hon. Friend will, on the whole, exercise the wisest discretion if at the present moment he will ask the leave of the House to withdraw his Motion.

MR. BRADLAUGH (Northampton) said, he thoroughly dissented from a great deal of what had fallen from the right hon. Gentleman the Leader of the House (Mr. W. H. Smith), and which had been, in the main, supported by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), as to the right of the House to discuss Treaties involving peace or war. He had no intention of detaining the House at any great length on the Egyptian Convention raised by the Motion under discussion, as he had put a Notice on the Paper that would enable him on the Estimates to raise it in another way. In his view, it was much too late for Parliament to discuss a Treaty after it had been concluded, for then criticism was useless except for Party recrimination. He should, at the right time, bring forward a Motion with a view of raising the question whether Parliament could not and ought not to exercise a real control over the making of Treaties.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that there was abundant evidence that the Convention had caused irritation to our nearest neighbour, France, and that in that she was supported by Russia. The hon. Baronet the Member for Cockermouth (Sir Wilfrid Lawson) was, therefore, perfectly right in his Motion, and the House would be quite right in protesting against a Treaty which might involve the country in grave difficulties. By it, as he believed, this country was reserving to itself a right of returning into Egypt whenever it should think proper. That was entirely a new departure, and he protested against any attempt of the kind.

MR. ILLINGWORTH (Bradford, W.) said, that before his hon. Friend the Member for Cockermouth (Sir Wilfrid Lawson) withdrew his Motion, he wished to say, along with many other Members of the House who desired to avoid foreign entanglements, that they had found themselves in an embarrassing position, by the refusal of the Government to allow the House to

take into consideration any Treaties until after the stage of ratification. He thanked the hon. Baronet for the step he had taken in claiming on behalf of the House of Commons an innovation of the old Constitutional Rule of Practice, and securing for the House of Commons an opportunity of considering important Treaties before they were ratified. At present it seemed that until that time the House of Commons could take no effective steps, either for the withdrawal or modification of dangerous proposals. It appeared to him, after some experience of the House, that the silence of the House of Commons up to the point when Treaties had been ratified, gave to the Government a great advantage, because the House of Commons, in discussing a treaty after its ratification, was in a position of the greatest possible difficulty. All that was left to the House of Commons was to listen to what the Government said, or to take the very awkward alternative of pronouncing condemnation of a policy which was being carried out. If before a Treaty had been ratified the House of Commons was taken into the confidence of the Government, comparatively little harm would be done; and he thought such a practice would be a wise innovation. He, therefore, again thanked his hon. Friend for the responsible and important step he had taken in order that they might secure to themselves an opportunity of considering Treaties before the first stage of ratification was reached. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) had fairly admitted that there was something to be said on both sides of this great contention; but they all knew the position in which the House had been placed frequently, and at present they were under obligations in more than 20 instances to guarantee and secure the independence of various States; and when this Convention came to be laid upon the Table, this country, he believed, would be involved in still further complications. The Convention would simply be an instrument by which they might temporarily escape from the embarrassment of the moment, but which committed them to undertakings as embarrassing for the future. He thought that there had been a want of candour on the part of the Government. He believed that strong remonstrances had been made on the part of Russia or France, or perhaps of both; and it would surely, in these circumstances, be desirable that the House should be in the possession of specific information as to the policy which the Government were carrying out. He hoped that what had taken place would be a warning to any Government in the future not to keep the House of Commons in the dark with regard to these important matters.

MR. LABOUCHERE (Northampton) said, he had no doubt the Government were anxious to be relieved from an embarrassing situation in Egypt; but if what they heard was true, they were seeking to escape from a temporary trouble by accepting what might prove to be a permanent trouble for the future. We had received from Europe no mission to remain in Egypt, but in this Convention it was stipulated that England should have permanent relations with that country, and not only permanent, but exceptional—that she should have the right to interfere at any time to maintain order. That simply meant that we should be obliged to interfere. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) had said that he hoped there would be a discussion after the Treaty was laid on the Table. But what would be the good of a discussion then? The thing would be done and the Treaty ratified. The House would then be obliged to accept the obligations which the Government had imposed on the country. The Treaty, however, was not completed until ratification took place, and neither country would be pledged until the ratifications were exchanged. Newspaper correspondents knew officially or unofficially what had taken place, and why not the House of Commons? In his opinion, it would be most desirable that, after a Treaty was signed by the Plenipotentiaries and sent home for ratification, at least it should be laid on the Table of the House of Commons before the final and absolute ratification took place, so that there should be an opportunity afforded for the full discussion of the merits of the Treaty.

MR. CONYBEARE (Cornwall, Camborne) said, he desired to place on record his adhesion to the protest which had been made against the ratification of a Treaty which might lead to war without

the previous assent of the House of Commons. The principle at stake was whether the Prerogative of the Crown in regard to Treaty-making should be predominant, or whether the control of the public purse by the Representatives of the people should have the upper hand; and every time a Treaty was ratified without the assent of Parliament it was an assertion of the Prerogatives of the Crown, as predominant over the rights of the Commons.

DR. CLARK (Caithness) said, that from what he had heard about the Convention it had his hearty support. He wished, however, the Government would consider whether some liberty could not be allowed to Arabi Pasha and his four companions who had been imprisoned in Ceylon for five years, and whether Zebehr Pasha, another prisoner of ours, could not be set at liberty. [*Cries of* "Order!"]

MR. SPEAKER: The hon. Member is not discussing the matter of urgent public importance on which the adjournment has been moved.

DR. CLARK said, that he was only asking a Question.

MR. SPEAKER: The hon. Member is out of Order in asking such a Question.

SIR WILFRID LAWSON said, he was much obliged to the right hon. Gentleman the Leader of the Opposition (Mr. W. E. Gladstone) for the speech which he had made. With a great many of the sentiments expressed in that speech he (Sir Wilfrid Lawson) cordially agreed, but he was sorry he could not accept his right hon. Friend's advice to withdraw the Motion. He raised no opposition to the Convention because, as he had said before, he did not understand it; but this was a matter of principle, and he thought the House of Commons ought to be able to consider the affairs of the nation. On that ground he should press his Motion to a Division.

Question put.

The House *divided*:—Ayes 115; Noes 276: Majority 161.—(Div. List, No. 275.)

BUSINESS OF THE HOUSE (PROCEDURE ON THE CRIMINAL LAW AMENDMENT (IRELAND) BILL).

RESOLUTION.

Motion made, and Question proposed,

"That, at Seven o'clock p.m. on Monday the 4th day of July, if the proceedings on the Consideration of the Report of the Criminal Law Amendment (Ireland) Bill be not previously concluded, the Speaker shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair:

"Thereafter, such Amendments only may be moved as, being otherwise in order, were printed in the Order Book when public notice of this Order was given, and the Question on such remaining Amendments, if moved, shall be put forthwith:

"Mr. Speaker may, at his discretion, take the Vote of the House, after the lapse of two minutes as indicated by the sand-glass, by calling upon the Members who support, and who challenge his decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the House, or name Tellers for a Division:

"From and after the passing of this Order, no Motion of Adjournment shall be allowed unless moved by one of the Members in charge of the Bill, and the Question on such Motion shall be put forthwith."—(*Mr. William Henry Smith.*)

MR. DILLON (Mayo, E.) could not congratulate the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) or the Government on the progress they were making in the new methods of conducting the Business of the House. It was a most extraordinary course to make such a Motion without a single word of explanation or comment. It now appeared that the Government had advanced so far in the new invention of clôture that a Minister did not think it worth while even to open his mouth when making a proposal which was entirely unprecedented. If the Government considered the time of the House so valuable, and that there was the greatest urgency to raising this Bill immediately into law in order to preserve peace in Ireland, why did they not at the commencement of the whole proceedings pass the Rule declaring that as soon as this Bill was introduced it should become law? That course would have saved some weeks' time, and would be just as Constitutional as the present course. On the last occasion when this course was proposed by the Government the same measure was dealt out to all Amendments. But now a new principle was introduced, and a selection was made as to the Amendments which could and could not be put. Proposals of the usual dishonest character between the Chief Secretary for Ireland——

MR. SPEAKER: Did I hear the hon. Gentleman say of the usual dishonest character?

MR. DILLON: Yes, Sir.

MR. SPEAKER: Then he will at once withdraw that. It was an un-Parliamentary expression which the hon. Member should not have used.

MR. DILLON said, he would withdraw the expression. What he alluded to was that the right hon. Gentleman the Chief Secretary accepted an Amendment to the 6th clause of the Act which was proposed by the hon. and learned Member for Inverness (Mr. Finlay). That Amendment undoubtedly was an important Amendment so far as it went. But what did the right hon. Gentleman the Chief Secretary do? Having accepted the Amendment, and thereby conveyed to the country the impression that the odious character of the clauses was modified by the intercession of a Liberal Unionist, he thereupon put on the Notice Paper an Amendment which was calculated to entirely remove the effect of the Amendment of the hon. and learned Member. While they were engaged in discussing the 6th clause the knife of the guillotine cut at not only the Amendments of the Irish Members, but the Amendment of the right hon. Gentleman the Chief Secretary. But the right hon. Gentleman, of course, had no intention of giving up his Amendment, and so in the framing of this Rule it was deliberately proposed that a certain set of Amendments should be allowed to be put, and another set not allowed to be put. That was a monstrous and unfair proposal. He was entitled to say that this Motion was deliberately sprung upon the House with the object of preventing him from putting the Amendment upon the Paper. He had drawn up with the intention of placing on the Paper certain Amendments and clauses bearing upon Clause 8; but the unfairness of the right hon. Gentleman provided that Amendments placed on the Paper after the Motion was read and not passed could not be discussed or even divided upon. Hon. Members who were in the secrets of the Government knew that this Motion was coming, and could put down their Amendments in time. This was a most unfair way to treat private Members. What was the effect with regard to the 8th clause? The 7th clause re-enacted or sought to re-enact a most important and most offensive Act of Parliament, and they had this fact undeniable that the 8th clause, which re-enacted a whole Statute of a most offensive character, was not allowed to be discussed in Committee, and would not be allowed to be discussed on Report. What was the law which the 8th clause of this Bill proposed to re-enact without discussion whatever? It was the Peace Preservation Act of 1881, an Act extending to no less than eight clauses, and containing, in his mind, the most unpleasant and offensive provision. In the first place, there was a provision in that Act enabling constables to arrest men on suspicion of having arms, and without a warrant. In the second place, Courts of Summary Jurisdiction had power to condemn men to three months' imprisonment with hard labour for having been possessed without licence of any arms or part of any arms—the lock of an old pistol or the stock of a gun. That was a provision he intended to propose a clause to amend. There were a number of other most offensive provisions in that Act, all of which they certainly ought to be entitled to discuss within reasonable limits. But that was not all, because there was an important question which he proposed to raise upon the 8th clause re-enacting the Arms Act in Ireland—namely, the administration of that Act in Ireland. The principle which they sought to lay down last Session was that the Act had been administered systematically in Ireland with the grossest unfairness and want of faith. Whereas in the North of Ireland no one was punished under that Act, in the South and West of Ireland it was continually used with oppression. To this day, although the town of Belfast and the surrounding districts were proclaimed under that Act, every man could swagger about with a revolver in his pocket. The same was the case in the other districts of the North; but in the South and West of Ireland not only was the law enforced, but it was used with deliberate oppression. In spite of the protests which they endeavoured to make in that House, the Arms Act had been and was administered with the grossest partiality, and made the means of disarming the Catholic and Nationalist population of Ireland, while every rowdy who called himself an Orangeman was allowed to carry arms and defy the law. The discussion of this important question would be prevented by the course

proposed by the Government. He regarded the whole of these proceedings for the future in connection with this Bill as a pure and unadulterated farce. He believed that the Government would in the end discover that they were a great deal, and the House was a great deal, more the losers in this matter than they were. The Party to whom he belonged were bound and compelled by the wishes of their constituencies behind them to continue this struggle, disgusting and farcical as it had become. The Government would listen to no argument, and were determined not to amend their Bill. Why, then, did they not have the courage of men, and get up and move that the Bill be declared law at once, and sent up to the other House? Why did they not do that? He should not have been sorry if they had followed the old policy, and passed their Coercion Bill in a single night. It would save them the trouble of talking for the next two nights with the knowledge that they would gain nothing. It would save them a great deal of labour, and save this country a spectacle of which, sooner or later, they would come to understand the meaning. A great many understood perfectly well the meaning of it now. Whether it took a month or two months or a single night to pass this Bill through its remaining stages, the effect of it in Ireland would be precisely the same. Many hon. Members thought now that they had done a tremendous work. They would feel like schoolboys out for a holiday, and as if the whole Session were over when the guillotine fell on Monday next; but he could assure them that their troubles were only beginning when this Bill left the House. They in Ireland would resist the administration of this Bill by every means in their power. He would tell the House that so long as they gave the Irish people representation, there so long would the Irish Coercion Bill turn up night after night to torment and torture them. It would be a torture to the Chief Secretary for Ireland who undertook to administer it. No matter what device of clôture they adopted, there it would persecute and torment them until they abandoned such a policy.

MR. LABOUCHERE (Northampton) said, the right hon. Gentleman the Leader of the House was trying to benefit them by example rather than by precept. He was endeavouring to close their mouths by closing his own. He was adopting tactics contrary to those adopted by every other Leader of the House. The right hon. Gentleman reminded him of Alexander the Great—he did not mean in everything. Alexander insisted upon undoing a knot by cutting it with his sword, and the right hon. Gentleman always had recourse to equally summary procedure; he declined to discuss any subject, and insisted upon enforcing his will by the brutal force of the majority at his back. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), then Prime Minister, brought in in 1883 certain Rules of Procedure. They were sufficient for the right honourable Gentleman's purpose; but when the Conservative Government came in they found they were not drastic enough. The Conservative Government announced almost at the commencement of the present Session that they intended to bring in a Coercion Bill by a new and more drastic Rule of Procedure deliberately brought in to prevent discussion upon this very Coercion Bill. It might have been supposed that the Government would have adopted the course taken on a former occasion by the right hon. Member for Mid Lothian, and have declared urgency for their Bill. Doubtless the reason they had not adopted that course was that they could not get a two-thirds majority, and feared to cut a rod that might be used to whip their own back. It was alleged that time had been wasted upon the Bill, but that he absolutely denied. If the special object of the Bill and the exceptional character of its provisions were taken into consideration, the time that had been spent upon it certainly could not be deemed too long. In the first place, the measure would change the whole system of jurisprudence in the Sister Island. He remembered the discussions of the Grand Committee upon a Judicature Act Amendment Bill some three or four years ago. Far more time than had been devoted to this Bill was occupied by that Committee in discussing two or three clauses of the measure referred to them; yet nobody complained, because it was felt that before a fundamental change was made in the laws of the country, there ought to be full and adequate discussion. In the opinion of

those who opposed it, the Bill before the House would suppress all legitimate political agitation in Ireland, prevent legitimate combination, and create new crimes. Then it differed from all its predecessors in its lasting character. It was not to be temporary, but perpetual. In the case, again, of the undoubtedly numerous former Coercion Bills, there had been a consensus of opinion between both the great Parties in the State; now, for the first time, not only a vast and imposing majority of the Irish Representatives was opposed to it, but also one of the great Parties in the State. On former occasions, it had been said that the state of Ireland was such that urgency was necessary. That was not even asserted on this occasion, as Ireland was admitted to be in a better state than even at the beginning of the Session. Therefore, he thought that every word and every letter of this Bill ought to be carefully weighed. His impression was that a greater amount of time had been taken up by the discussion on the Hares and Rabbits Bill than had been allowed for this Bill, although it was one which endeavoured to sweep away liberties which it had required ages to establish. There was no precedent for this in English history. The only precedent he could remember was a certain occasion in Denmark, when the Danes voted away their own, instead of other people's, liberties. In Committee the old principle was that a Bill should be discussed clause by clause and line by line, whereas some of the clauses in this Bill had not been discussed at all, and by the new system which was proposed they were not even to be allowed to let their constituents and the country know that they protested against clauses which they had not discussed. If they looked at the first and second clauses of the Bill they would see that they had been cut to ribands and entirely re-modelled—a proof that the Bill had been thoroughly badly drawn up. Then the right hon. Gentleman the Chief Secretary for Ireland himself had so thoroughly bad an opinion of his own Bill that he had put down 30 Amendments to it, and yet the right hon. Gentleman told them that they were to have no discussion on the very Amendments put down by himself. Perhaps they might be told that this was the fault of the opponents of the Bill in discussing Amendments which were not important. But who was to be the judge of whether an Amendment was important or unimportant? They were not servile slaves like those who sat on the Government side of the House or the Liberal Unionists. They were independent persons, each of whom acted as his conscience dictated, and when conscience dictated to a Member on that side the desirability of putting down an Amendment, he put it down without going and consulting the Whips. Ministers complained of waste of time and idle talk on that side of the House; but on the previous day, at 20 minutes to 6, when the House was reading to divide upon an Amendment, the Attorney General had been put up to talk against time—to prevent the Division from being taken. And why? Because hon. and right hon. Gentleman, although they were anxious to coerce Ireland, were not willing to give up their amusements, and they were away at some garden party that was being held. No doubt the Tory Members found it very dull work hanging about the precincts of the House—they did not listen to the debates. No doubt the Tory Whips, amiable and able as they were, found great difficulty in keeping 200 or 250 Members in the House, and that was one reason why this matter was to be forced on. The other reason for so doing was somewhat of a tactical one. Hon. Gentlemen opposite were anxious to persuade the country that there was something like obstruction on that side of the House, and they were told "You are destroying all Parliamentary tradition." But, he would ask who was destroying Parliamentary tradition at present by these new Rules? They, on the other side, were adopting a new scheme for preventing and crushing out opposition. They were a very heterogeneous body of men, and it was very desirable to keep them together. They knew that the country in the main was strongly against coercion. And so they barely discussed any matters connected with the Coercion Bill; but through their organs they denounced the Opposition as a species of criminals for daring to oppose it, and they would lead the country to suppose that the Opposition were opposed to every species of legislation. They were continually hearing from the First Lord of the Treasury that in view of the state of Public Business —he really must object to this, that, and

the other. He wanted to know what were those wonderful public Bills that were in the mind of the right hon. Gentleman. The real suppressors of Parliamentary government were the Government themselves, and they did it designedly. Looking to their system, the mode in which they had conducted the Business of the House this Session, he was reminded of the saying of Dr. Johnson—"It is not in nature that there can be such stupidity." They had at the head of the Government an eminent nobleman who never was in this House. ["Oh, oh!" *and laughter.*] He was only going to say an eminent nobleman who never was in this House since he was a Member of the Government. He thought he was right in that. At any rate, if he was in the House, he did not profit by it, and he looked down in a high and lordly way on the House of Commons, as if it were an Assembly which ought not to interfere with the Executive, and that the Executive should be, as far as possible, masters. *The Times* said the other day—and they might take *The Times* as the official organ of the Ministry—that it would be undesirable to have an Autumn Session, because the administration of this Bill ought not to be subjected to the control of Parliament. And this abridgment of debate was part and parcel of the scheme to do away, as far as possible, with any legitimate control that the House of Commons had over Public Business and over the Ministry. The Government would have a heavy reckoning for their conduct. They looked only to the success of the moment. They were forcibly-feeble people, and forcibly-feeble people always fell into these gross exaggerations. Lord Coke probably anticipated a moment when the destinies of the country would be in the hands of men who now sat upon the Treasury Bench, and in the strong, rude manner of his time, in alluding to the evils of hasty legislation, he called it the "damned and damnable legislation of Hell." In more moderate and Parliamentary terms, he ventured to register a protest against the action of the present Government, who wanted to give the country a false impression of their strength.

MR. PICKERSGILL (Bethnal Green, S.W.) also desired strongly to protest against this drastic proposal—against the unusual and unprecedented course adopted by the First Lord of the Treasury in not saying a single word in defence of it. He had carefully watched the debates in Report, and he asserted that—with, perhaps, a single exception—there had not been a single Amendment proposed upon Report which had not a direct relation to the provisions of the Bill. Why did the Government not propose a Motion declaring this Bill urgent? He believed the reason was because the only ground of urgency for the Bill was one which they could not and dared not avow. Crime was steadily falling in Ireland; but notwithstanding this the Chief Secretary had, no doubt, received from his myrmidons in Dublin Castle an urgent missive declaring "What thou doest, do quickly."

MR. TUITE (Westmeath, N.) said, he protested, on behalf of his constituents, against the action of the Government, which was most tyrannical, in stifling debate on a number of Amendments which had a vital bearing on clauses in the Bill that had not been discussed at a proper length during the Committee stage. He regarded the Bill as a wanton outrage on the liberties of the Irish people; and, so far as the Irish Party were concerned, the Government might rush the Bill through in one night if they liked. No doubt, this Bill would become law; but nevertheless they would advise their people to meet the Bill with defiance at every point, to fight it Constitutionally to the last ditch, and do all in their power to make it as inoperative as possible. He trusted the people of England would appreciate in the proper way the action of the Government; and he trusted the day would soon arrive when the people would have the means of showing how much they detested the tyrannical action of the Government in rushing the Bill through the House with such indecent haste.

MR. PICTON (Leicester) said, he was as anxious as any Member to come to a Division, but nevertheless he felt surprised and indeed shocked at the apathy with which the House had begun to treat such invasions as these on its liberties and privileges. He did not for a moment dispute that the majority ought to rule, but he thought that hon. Members on that side would bear him out in saying that if the rule of the majority was to be safe and healthy the

majority must learn to exhibit considerable self-control in order that they may be saved from tyrannical government—the worst of all tyranny, the many-headed tyranny of the mob. Hon. Members on the opposite side of the House were doing all they could to bring this state of tyranny about. They were striking away all the safeguards the House had hitherto possessed against the tyranny of an unreasoning majority, and if they suffered in the future from their own conduct now they would only have themselves to blame. He did not deny that occasions might arise when it would be absolutely necessary to act swiftly with little or no debate. He could conceive that, were the country threatened with invasion, for instance, the circumstances might necessitate the passing in an hour or two measures that in ordinary times would require a month for consideration; or a sudden outbreak of pestilence might need speedy legislation, and under such circumstances surely no one could say it would be unreasonable to pass a Motion of this kind that the House might come to a vote at a definite time; but no one alleged there was any such overwhelming cause for speed. As had been already remarked, crime was dying away so rapidly in Ireland that if this Bill were delayed for a few weeks longer perhaps there would be absolutely no crime to excuse it. Probably that was one of the reasons why it was rushed forward so fast. But he maintained no cause had been shown, no crisis, no pressing difficulty, no great suffering could be alleged for this undue haste. The only thing that could be said was that landlords' rents were not everywhere paid, and some gentlemen were a little hard pressed for money. Now was that a sufficient reason for depriving the House of its privileges and the people of a neighbouring island of their liberties? He contended that never in the recent history of the country was a more frivolous argument put forward for tyrannical conduct of this kind. Besides, there was one part of the Resolution to which he took grave exception on more detailed ground. If this Resolution passed it would deprive their constituents of the means of knowing how hon. Members had voted on the remaining Amendments, of which due Notice had been given; besides that it would positively deprive Members of the House of the opportunity of voting at all. He did not know—his Parliamentary experience was short—whether the experiment had ever been tried of taking votes by calling upon Members to rise in their places. He thought it was tried on one occasion if his memory served rightly, but, at any rate, there had been no such experience of the method as would enable them to judge how it would work. They were told in the words of the Resolution—

> "Mr. Speaker may at his discretion take the vote of the House by calling on the Members who support and who challenge his decision successively to rise in their place."

But when the House was full, there was a large number of Members who had no places at all from which to rise. It was well known that there was not sitting accommodation for more than 400 Members out of 670, and indeed when a special Whip was sent out for the attendance of Members, and 600 Members were present, it would be impossible for the Speaker in the exercise of the duty this Resolution would impose upon him, to call upon all the Members to rise in their places, for 200 of them would have no place whatever to rise from. Therefore a considerable section of the House would be absolutely disfranchised, deprived of the right of voting "Aye" or "No." He thought this part of the Resolution required a little more consideration, a little more defence than could be made by the sullen silence maintained on the other side. He had no wish to detain the House, but a tyrannical resolution of this kind, an order of this kind to the representatives of the people was one against which every representative of the multitude should raise his voice in protest.

DR. TANNER (Cork, Co., Mid) said, he remembered in his childhood having been brought to visit a certain Museum in the City of London. In it was a dark chamber called the chamber of horrors, and in a dark corner in that dark chamber of horrors at Madame Tussaud's there stood images of two ruffians of a bygone time—one of them was named Burke, and the example set by the ruffian Burke was being followed by Her Majesty's Government; and he (Dr. Tanner) congratulated the Government on the example they were following. The Go-

vernment had set the example in that House of burking debate. They had burked the Bill on the Committee stage, and, not being satisfied with that, they were now descending to a lower pit of degradation, and were going to burke and assassinate the Bill on the stage of Report. The object of the Government in pushing on the Crimes Bill—and he dared hon. Gentlemen opposite to deny it—was to stir up crime and outrage in Ireland.

MR. SPEAKER: Order, order! The hon. Gentleman is not speaking in Parliamentary language in imputing such motives to hon. Members of the House.

DR. TANNER: Of course, Sir, I do not wish to impute it in the non-Parliamentary sense.

MR. SPEAKER: In whatever sense the hon. Member meant it, he must withdraw the words.

DR. TANNER said, he certainly would withdraw them, and would put what he intended in another way. The Coercion Bill was not required in the country, because there was no crime. In order, therefore, to make use for a Crimes Act a state of affairs must be produced in which it could be applied. In short, it was absolutely necessary that crime should exist. The Government were like the picadors at a Spanish bull fight, who did all they could to irritate an animal that would otherwise prove perfectly inoffensive; and they, in what they were doing, were in like manner trying to irritate the Irish people by pushing the Bill forward in an unconstitutional way. Their action would lead to deplorable results, one of which would be to bring about a state of horror and to sow the seeds of hatred anew between the people of Ireland and the British race, and upon their heads must rest the result.

MR. EDWARD HARRINGTON (Kerry, W.) said, he wished to place it upon record that if Her Majesty's Government had not brought forward these "urgency" Motions the discussion on the Crimes Bill would have concluded within a reasonable time. It was understood that the Land Measure would have been brought into that House before the Coercion Bill left it. But the Government had broken faith with them in that matter.

Question put.

The House *divided*:—Ayes 220; Noes 122: Majority 98.—(Div. List, No. 276.)

AYES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Ambrose, W.
Anstruther, Colonel R. H. L.
Ashmead-Bartlett, E.
Baden-Powell, G. S.
Baggallay, E.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Balfour, G. W.
Banes, Major G. E.
Barnes, A.
Barttelot, Sir W. B.
Bates, Sir E.
Beach, W. W. B.
Beaumont, H. F.
Beckett, E. W.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Bethell, Commander G. R.
Bickford-Smith, W.
Birkbeck, Sir E.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Bruce, Lord H.
Caldwell, J.
Campbell, J. A.
Campbell, R. F. F.
Charrington, S.
Clarke, Sir E. G.
Coghill, D. H.
Collings, J.
Colomb, Capt. J. C. R.
Commerell, Adml. Sir J. E.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cranborne, Viscount
Cross, H. S.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Currie, Sir D.
Curzon, hon. G. N.
Dalrymple, C.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Dixon, G.
Donkin, R. S.
Dorington, Sir J. E.
Duncombe, A.
Dyke, right hon. Sir W. H.
Egerton, hon. A. de T.
Elliot, hon. A. R. D.
Elliot, Sir G.
Elton, C. I.
Evelyn, W. J.
Ewart, W.
Ewing, Sir A. O.
Feilden, Lieut.-Gen. R. J.
Fellowes, W. H.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fry, L.
Fulton, J. F.
Gedge, S.
Gibson, J. G.
Giles, A.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst Sir J. E.
Goschen, rt. hn. G. J.
Gray, C. W.
Grenall, Sir G.
Greene, E.
Grimston, Viscount
Grove, Sir T. F.
Gunter, Colonel R.
Hall, A. W.
Hamilton, right hon. Lord G. F.
Hanbury, R. W.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Hastings, G. W.
Havelock-Allan, Sir H. M.
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Heneage, right hon. E.
Herbert, hon. S.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.

Hoare, S.
obhouse, H.
Holland, rt. hon. Sir H. T.
Holloway, G.
Houldsworth, W. H.
Howard, J.
Howard, J. M.
Howorth, H. H.
Hubbard, E.
Hughes, Colonel E.
Hunter, Sir W. G.
Jackson, W. L.
Jennings, L. J.
Kelly, J. R.
Kenrick, W.
Kerans, F. H.
Kimber, H.
King, H. S.
King-Harman, right hon. Colonel E. R.
Knowles, L.
Lafone, A.
Lambert, C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lea, T.
Leighton, S.
Lethbridge, Sir R.
Lewisham, right hon. Viscount
Long, W. H.
Low, M.
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Marriott, right hon. W. T.
Maskelyne, M. H. N. Story-
Matthews, rt. hon. H.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
More, R. J.
Morrison, W.
Mount, W. G.
Mowbray, right hon. Sir J. R.
Mulholland, H. L.
Muncaster, Lord
Murdoch, C. T.
Norris, E. S.
Northcote, hon. H. S.
O'Neill, hon. R. T.
Pitt-Lewis, G.
Plunket, right hon. D. R.
Powell, F. S.
Price, Captain G. E.
Quilter, W. C.
Raikes, rt hon. H. C.
Rankin, J.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hon. C. T.
Robertson, J. P. B.
Robertson, W. T.
Rollit, Sir A. K.
Ross, A. H.
Royden, T. B.
Russell, T. W.
Saunderson, Col. E. J.
Sellar, A. C.
Selwin-Ibbetson, rt. hon. Sir H. J.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, W.
Sinclair, W. P.
Smith, rt. hon. W. H.
Stanhope, rt. hon. E.
Swetenham, E.
Sykes, C.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, H. J.
Tyler, Sir W. H.
Verdin, R.
Vernon, hon. G. R.
Vincent, C. E. H.
Webster, Sir R. E.
Webster, R. G.
Weymouth, Viscount
White, J. B.
Whitley, E.
Whitmore, C. A.
Wilson, Sir S.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-Walrond, Col. W. H.

NOES.

Abraham, W. (Glamorgan)
Acland, A. H. D.
Allison, R. A.
Anderson, C. H.
Austin, J.
Balfour, Sir G.
Barbour, W. B.
Barran, J.
Blake, T.
Blane, A.
Bolton, J. C.
Bradlaugh, C.
Byrne, G. M.
Cameron, C.
Campbell, H.
Carew, J. L.
Chance, P. A.
Channing, F. A.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Coleridge, hon. B.
Commins, A.
Connolly, L.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Cox, J. R.
Craven, J.
Cremer, W. R.
Crossley, E.
Dillon, J.
Dillwyn, L. L.
Dodds, J.
Ellis, J.
Fenwick, C.
Ferguson R. C. Munro-
Flower, C.
Foley, P. J.
Foljambe, C. G. S.
Fox, Dr. J. F.
Fry, T.
Gill, T. P.
Graham, R. C.
Gully, W. C.
Harrington, E.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Holden, I.
Hooper, J.
Illingworth, A.
Jacoby, J. A.
James, C. H.
Jordan, J.
Kenny, C. S.
Kenny, J. E.
Kenny, M. J.
Labouchere, H.
Lalor, R.
Lawson, Sir W.
Leahy, J.
Leake, R.
Macdonald, W. A.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.
M'Cartan, M.
M'Carthy, J.
M'Donald, Dr. R.
M'Kenna, Sir J. N.
M'Laren, W. S. B.
Molloy, B. C.
Morgan, O. V.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P.
O'Brien, P. J.
O'Hanlon, T.
O'Hea, P.
O'Kelly, J.
Paulton, J. M.
Pease, A. E.
Pease, H. F.
Pickard, B.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Powell, W. R. H.
Power, R.
Pyne, J. D.
Quinn, T.
Redmond, W. H. K.
Reynolds, W. J.
Roberts, J.
Roe, T.
Rowlands, J.
Russell, E. R.
Schwann, C. E.
Sexton, T.
Sheehan, J. D.
Smith, S.
Stack, J.
Stansfeld, right hon. J.
Stevenson, F. S.
Stuart, J.
Sullivan, D.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Thomas, A.
Tuite, J.
Wallace, R.
Wardle, H.
Will, J. S.
Williams, A. J.
Williamson, S.
Woodhead, J.
Wright, C.

TELLERS.

Biggar, J. G.
Sheil, E.

ORDERS OF THE DAY.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.—[Bill 290.]

(*Mr. A. J. Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland.*)

CONSIDERATION. [ADJOURNED DEBATE.]

[FOURTH NIGHT.]

Order read, for resuming Adjourned Debate on Question—on Consideration of the Bill as amended—[29th June], "That the Clause (Crown officials not to act as interpreters,)"—(*Mr. Maurice Healy,*)—be now read a second time.

Question put, and *negatived.*

On the Motion of Mr. A. J. BALFOUR, the following Amendments made:—Clause 1, page 2, line 4, after "witness," insert—

"And such questions and answers when transcribed shall be annexed to the deposition of the witness;"

line 6, after "person," insert "on his being returned for trial;" line 7, after "solicitor," leave out "upon being returned for trial;" line 37, after "certificate," leave out "of indemnity;" line 40, after "certificate," leave out "of indemnity;" line 41, leave out "and proceedings for the recovery of any penalty," and insert "against such witness;" line 42, after "offence," insert "not being a felony;" line 42, leave out "such person," and insert "he;" page 3, line 9, after "witness," insert "while the said charge is pending." Clause 2, page 5, line 1, after "any," insert "person who shall incite any other person to commit any of the offences hereinbefore mentioned." Clause 4, page 5, line 33, at end, add—

"If the court discharge or vary any such order for the removal of a trial, the court shall award that the reasonable costs incurred by the defendant in making the application shall be paid by the Crown."

Clause 5, page 6, line 1, after "detection," leave out "and," and insert "or." Clause 7, page 9, lines 30 and 31, leave out "which he believes to be a dangerous association," and insert—

"Named or described in such special proclamation, or any association which appears to the Lord Lieutenant to be a dangerous association, and to have been, after the date of such special proclamation, formed or first employed for any of the purposes of any association named or described in such special proclamation."

Clause 10, page 10, line 25, after "in," leave out "England or;" after "Ireland," leave out—

"Or to the Queen's Bench Division of the High Court of Justice in England, or to the Central Criminal Court;"

line 29, after "removal," leave out "or the Queen's Bench Division, or the Central Criminal Court, as the case may be;" line 32, after "county," leave out "or in the county of Middlesex, or in the Central Criminal Court District, as the case may be;" line 39, "after "removal," leave out "or in the county of Middlesex, or in the Central Criminal Court District, as the case may be;" page 11, leave out all after line 4 to end of Clause. Clause 11, page 11, lines 29 and 30, leave out "and not otherwise subject nevertheless to," and insert "and subject to the provisions thereof, save so far as they are altered by;" page 12, line 7, at end of line, add—

"One resident magistrate may act alone in adjourning or postponing a court, or in doing any other thing antecedent to the hearing of a charge under this Act."

Clause 15, page 13, line 15, after "in," leave out "England or;" line 15, after Ireland," leave out—

"Or to the Queen's Bench Division of the High Court of Justice in England, or to the Central Criminal Court;"

line 27, after "in," leave out "England or;" line 27, after "Ireland," leave out—

"Or to the Queen's Bench Division of the High Court of Justice in England, or the Central Criminal Court in London."

Clause 19, page 14, line 34, at end of line, add—

"The expression 'the Summary Jurisdiction Acts' means in the Dublin Metropolitan Police District the Acts regulating the powers and duties of justices of the peace and of the police in that district, and 'elsewhere in Ireland,' means 'The Petty Sessions (Ireland) Act, 1851,' and the Acts amending it;"

line 40, leave out from end of line to beginning of line 3, in page 15; page 15, line 7, leave out from end of line to beginning of line 18.

Add the following Schedule:—

"Schedule.

"Form of Summons to Witness. (Preliminary Inquiry).

The Queen v. Persons unknown. } Petty Sessions District of County of

"Whereas it appears that [here set out the nature of the offence].

"This is to command you to appear as a witness before me at on the day of , at o'clock, then and there to be examined before me touching the premises.

"(Signed) A. B., Resident Magistrate."

"Dated

"To C.D., of."

Bill to be read the third time upon *Tuesday* next, and to be *printed.* [Bill 305.]

CROFTERS HOLDINGS (SCOTLAND) BILL [*Lords*].—[BILL 287.]

(*The Lord Advocate.*)

COMMITTEE.

Bill *considered* in the Committee.

(In the Committee.)

Clause 1 (Short title and construction, 49 & 50 *Vict.* c. 29) *agreed to.*

Clause 2 (Stay of proceedings for sale of crofters' effects).

DR. R. MACDONALD (Ross and Cromarty): I beg to move the insertion of the words "or decrees in force," after the word "dependence," in line 10. My reason for moving this Amendment is that if these words are not inserted, and decrees have been already given, the crofter will have to pay, and there will be an end of the matter. The very reason that this Bill has been brought in is that some landlords have been mean enough to take advantage of the flaw in the Act of last year. I need not say more. The Lord Advocate understands the Amendment which deals with a purely legal matter. I trust he will see his way to accept my proposition.

Amendment proposed, in page 1, line 10, after "dependence," insert "or decrees in force."—(*Dr. R. Macdonald.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I do not see that the Amendment is in the least degree necessary. The clause, as it stands, will effect its object by arresting the sale in the manner intended.

DR. CLARK (Caithness): I hope that if the Lord Advocate is wrong, as the late Lord Advocate was, and the Court of Session decide against him, he will give us another Bill. I do not see that the insertion of these words can do any harm. The words will make the clause clear, and if they are accepted a Judge of the Court of Session will not be able to tell the right hon. and learned Gentleman as his Predecessor was told, "If you meant that you should have made it clear in the Bill." What we want is that there should be no ambiguity, and that we should not have a clause which will cause litigation.

THE LORD ADVOCATE: If the hon. Gentleman (Dr. R. Macdonald) thinks it will carry out his object, I will agree to substitute for the words "are in dependence," the words "has been taken."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 10, leave out "are in dependence," and insert "has been taken."—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Question, "That the words 'has been taken' be there inserted," put, and *agreed to.*

DR. R. MACDONALD: I now beg to move to insert, after the word "rent," in line 11, the words—

"Or against whom there has been granted a decree for payment of rent, and which decree is, at the passing of this Act, unimplemented."

I hope the Lord Advocate will not allow the landlords who have already taken proceedings to get the benefit of those proceedings. These words are necessary in order to prevent injustice.

Amendment proposed,

In page 1, line 11, after "rent" insert "or against whom there has been granted a decree for payment of rent, and which decree is, at the passing of this Act, unimplemented."—(*Dr. R. Macdonald.*)

Question proposed, "That those words be there inserted."

MR. J. H. A. MACDONALD: These words are quite unnecessary, because it must be perfectly obvious that the prohibition of sale applies only to the case in which a decree has been given.

Amendment, by leave, *withdrawn.*

DR. R. MACDONALD: My next Amendment is to leave out the words—

"Prohibiting the sale of the crofter's effects upon the said holding by virtue of any decree for payment of such rent."

and to insert—

"Sisting all proceedings against the crofter for the recovery of rent, or for the payment of any bills or promissory notes given by him to the landlord in lieu of rent, or if decree has been already grantad against the crofter for the payment of such rent, bill, or promissory note, given in lieu thereof, suspending such decree."

I grant the Amendment the right hon. and learned Gentleman has already acceded to so far takes away the pith of this Amendment; but what I particularly want to point out is that if the words "the sale of the crofter's effects upon the said holding" are left in the clause is ambiguous, and its object will not be effected. As I have pointed out to the right hon. and learned Gentleman before, if you leave in the words "the crofter's effects upon the said holding," and it will be found that if a crofter's horse strays off the holding the landlord can

take it and sell it. If the crofter sends a cow to market the landlord can seize it and sell it directly it leaves the holding. I trust that this will meet with the approval of the Government.

Amendment proposed,

In page 1, line 12, leave out from "prohibiting" to "rent" in line 14, and insert "sisting all proceedings against the crofter for the recovery of rent, or for the payment of any bills or promissory notes given by him to the landlord in lieu of rent, or if decree has been already granted against the crofter for the payment of such rent, bill, or promissory note, given in lieu thereof, suspending such decree." —(*Dr. R. Macdonald.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. H. A. MACDONALD: I am sorry I cannot accept this Amendment, which I think I can show is unnecessary. I propose to accept the Amendment of the right hon. and learned Gentleman the Member for Clackmannan (Mr. J. B. Balfour), which I think expresses the matter very clearly and fairly. Then, as regards the sale of the crofter's effects, it is quite plain to me that where a decree has been pronounced the crofter could not, by any possibility, take any stock to market. We postpone the power of sale, but we do not propose to give the crofter in the meantime power to take his effects away and sell them himself. I may point out to the hon. Member that the purpose and object of this clause is to correct a mistake made in the Crofters Act of last year, by which, if such a sale did take place, the crofter would be liable to be made bankrupt, and thereby lose the benefit of the Act. It would not be right to give the Crofter Commission the power of sisting possessed by a Court of Law.

DR. CLARK: I think my hon. Friend will withdraw his Amendment in face of the acceptance by the Government of the Amendment of the right hon. and learned Gentleman the Member for Clackmannan.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 17, after "to," insert "interim."—(*Dr. R. Macdonald.*)

Question proposed, "That the word 'interim' be there inserted.

MR. J. H. A. MACDONALD: I think the insertion of such a word would be rather misleading.

Amendment, by leave, *withdrawn.*

MR. C. S. PARKER (Perth): In the absence of the right hon. and learned Gentleman the Member for Clackmannan (Mr. J. B. Balfour), I beg to move the Amendment which stands in his name.

Amendment proposed,

In page 2, line 19, after "determined," insert—"This Act shall apply notwithstanding that the crofter may have granted a bond, bill, or other document of debt for the rent due by him or any part thereof, and if such rent or any part thereof in excess of the amount which the Crofters Commission shall determine ought to be paid shall be recovered from the crofter by any bonâ fide onerous assignee, indorsee, or other holder for value of such document as aforesaid, the crofter shall be entitled to repetition of such excess from the landlord or to credit in account with the landlord in respect thereof." —(*Mr. C. S. Parker.*)

Question "That those words be there inserted," put, and *agreed to.*

On the Motion of Dr. R. MACDONALD, Amendment made, in page 1, line 23, by leaving out "one," and inserting "two."

Clause 2, as amended, *agreed to.*

Clause 3 (As to notour bankruptcy of crofter) *agreed to.*

On the Motion of Mr. J. H. A. MACDONALD, the following clause was added to the Bill after Clause 2:—

(Application of section 6, sub-section 3, of principal Act.)

Section six, sub-section three, of the principal Act shall be read and construed as if the words "the first term of Whit Sunday or Martinmas next following" were inserted between the words "and" and "the" in the said sub-section.—(*Mr. J. H. A. Macdonald.*)

MR. ANDERSON (Elgin and Nairn): I beg to propose the following new clause which stands in my name:—Page 2, after Clause 3, insert the following Clause:—

(Extension of provisions of principal Act.)

"From and after the passing of this Act the provisions of the principal Act shall apply to every crofter and cottar in Scotland to whom the provisions of the principal Act do not apply, and the powers of the Crofters Commission may be exercised upon the application of any crofter or cottar in any parish."—(*Mr. Anderson.*)

The Committee is possibly aware that the extent of the area to which the Crofters Act applies is limited to certain counties, and that that was done after a Commission had visited those

counties for the purpose of inquiring into the state of affairs there. The real reason why it was limited to those counties was that the people had broken out into a sort rebellion, and had resorted to a certain amount of violence with the object of getting their grievances remedied. I think that it was unfortunate that that was not done also in other counties where there are crofters, because it seems to me it is impossible to get any land legislation of any value unless you agitate and resort to rioting and other forms of disturbance. It is a very bad example to set; but it has been set in Scotland. The people of the constituency I have the honour to represent have always been anxious to keep quiet; but in that constituency and in others in Scotland there are hundreds of crofters who, at the present moment, are excluded from the benefit of this Act. The hardship of this exclusion must be apparent when it is seen what the effect of the decisions of the Crofters Commision has been. It has been stated once or twice, in answers to Questions put by me relating to the extension of the Act, that the area of the operation of the Act was deliberately and seriously considered in 1886, when the Crofters Act was passed, and that therefore the Government decline to re-open the question. That is a most extraordinary answer to give, because a great many changes have taken place since 1886. There is an entirely new state of representation. A new Parliament has been elected since then; and, moreover, I invite the attention of the Committee to this important point, that since the appointment of the Crofters Commission it has been engaged in considering the rents paid by the crofters in the counties to which the Act applies. I will tell the Committee very shortly what the result of the deliberations of the Committee in regard to the rents of the crofters has been. From the commencement of the operations of the Crofters Commission up to June of the present year, the total of the late rents which the Commission took into consideration was £5,846. That they have reduced to £3,732, making a total reduction of £2,114 or 42·2 per cent. In addition to reducing the rents, and fixing fair rents, they have taken into consideration the arrears which were due at the time of the commencement of the operations of the Commission on the estates on which they have been engaged, and which were £10,781. These have been reduced by ordering the tenants to pay not £10,781, but £4,509, which shows a total reduction of £6,272, or 58 per cent. Now, the Committee will see that that is an extraordinary state of affairs to bring about. It must be apparent to the Committee, and it must be apparent to the country, that if this Act was necessary in the interests of the small tenants of the counties to which this Act applies, it is just as necessary for the crofters and small holders in other parts of Scotland. I cannot understand what the difference is between the condition of the crofters in one part of Scotland and in another. Take, for instance, the crofters in the county of Elgin; there are hundreds of crofters there in exactly the same position as the crofters of Inverness-shire; they have exactly the same kind of land tenure, and many of them have built their houses themselves, and bought the land they hold under cultivation. So it is in Aberdeenshire. I believe there are more crofters there than in any other county in Scotland, and I cannot at present understand the principle upon which the extraordinary benefits which have been conferred on the crofters in other counties in regard to rent, have not been extended also to the crofters of these counties of Scotland. So much in regard to the rents. There is another question. One of the most important parts of the Crofters Act was that practically giving crofters fixity of tenure. The clause provided that if the crofter fulfilled the conditions of the Act as regards paying rent, and so on, he should practically be secure in his holding. That, of course, is a most important provision, and I will, with the permission of the Committee, give an instance which has happened within the last month in the constituency which I represent. About 70 years ago a crofter redeemed two acres of land. By great industry this crofter redeemed the two acres of land, turning it into land which grew very good crops. In addition to this he built a house, in which he lived. He was able to keep upon his two acres a cow and two or three sheep. The man lived for many years in great comfort and happiness upon the holding he had practically

made himself. What happened? He had children. One of his daughters married a person named Taylor. Upon the death of the old man, the Taylors lived in the house, and would have been entitled to the benefit of the Crofters Act, had it applied to their county. About a month ago they were turned out of their holding under circumstances I will narrate. The estate has been let to a great game preserver. It has been infested by rabbits, and the Taylors, in the exercise of their undoubted rights, set traps to catch the rabbits. This conduct on their part gave annoyance to the shooting tenant, who determined, in that rough and ready fashion which has always been the characteristic of game preservers, and I am sorry to say of some landlords, to turn the tenant out of his holding which he and his predecessor had practically made of the value it is. Taylor was told he must turn out as quickly as possible. He was a yearly tenant, but he was told that if he would go out quietly he should receive a present of £10. He was prevailed upon to sign a document agreeing to leave. I asked Her Majesty's Government if they would make inquiries in the matter. They did inquire; but I was not satisfied with their answer, and, to make certain of the facts, I, in the Whitsuntide Recess, visited the place. The answer given to me was that, although the man had been turned out, another house upon the same property had been found him. The sight which met my eye was such as I never desire to see again. I found the wife of the crofter in a condition of great distress. She had the day before been turned out of her house, which was being pulled down. Instead of another house having been provided for her, I found her and her children in one room at the end of a cottage which one of the farmers on the estate had been good enough to let her have at a rent of £2. These people had been deprived of their home simply because some game preserver thought it inconvenient there should be people there who trapped the rabbits. This is what has happened in Scotland within the last month, and, so far as I can see, the Government propose to take no action in the matter. This is only an isolated case, but it sufficiently illustrates the gross injustice which is practised in crofter counties. I never before saw people turned out of their homes, and I hope I never shall again. Eviction is a common occurrence in Ireland; but one would hardly think it possible in Scotland, where all the people are supposed to be happy and contented. By this Amendment I propose to secure to the crofters who are now exempt from them the benefits of the Crofters Act—I desire to provide that people shall not be turned out of their holdings under such circumstances as I have described. I regard this Amendment as one of great importance, and I take this, the only opportunity I can obtain this Session, of bringing it forward. The Government have persistently prevented me bringing forward my Bill, and therefore it is my intention to take the opinion of the Committee upon this Amendment.

New Clause (Extension of provisions of principal Act,)—(*Mr. Anderson,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): In view of the statement of the hon. and learned Member (Mr. Anderson) in bringing forward this clause, it is perfectly natural and right he should be of opinion that he should avail himself of every opportunity of bringing the case of the crofters who are exempt from the benefit of the Crofters' Act before the House. No one can in the least degree complain of the tone and temper which the hon. and learned Gentleman has displayed in moving his Amendment; but I think the hon. and learned Gentleman himself will be perfectly satisfied with the opportunity of bringing forward the Amendment. This Bill, as everyone who has taken the trouble to inquire into the matter knows, is a Bill intended solely to correct a mistake which was made in the Act of last year. The Act was undoubtedly most carefully considered by the House, but it is just one of those Acts in which defects sometimes creep through too great anxiety to get what is perfectly right. The Government would not have brought in a Bill this year for any other purpose than that for the simple reason that, whether

rightly or wrongly, this very Parliament decided, after the fullest possible debate, that the area to which the Bill was to apply should be a certain area, and not another area. [An hon. MEMBER: It was the last Parliament.] It was the Parliament of 1885, elected under the Reform Act of 1885. No doubt, there has been a General Election since; but I do not think any hon. Gentleman will say there has been any great change of opinion on this point since Parliament addressed itself to the work of redressing the crofters' grievances. Parliament devoted a good deal of time to the consideration of the area over which the Act should operate. The very matters which practically come up in this clause were certainly most fully discussed. The Government of that day declined to extend the provisions of their Bill beyond the area which they fixed by the Bill, and Her Majesty's Government do not now see that it would be wise or prudent to have a new general Crofters Act. I therefore cannot accept the clause proposed by the hon. and learned Member. I trust that, as he has had an opportunity of bringing the question forward, he will think he has fulfilled his purpose.

MR. C. S. PARKER (Perth): I can quite understand what the Lord Advocate has pointed out to us—namely, the inconvenience of introducing this Amendment into this particular Bill. The Bill was brought in elsewhere for a limited purpose, and it is natural to entertain some apprehension as to what might happen if the measure were to go back containing this additional matter. But I must say I missed in the speech of the Lord Advocate any indication of any intention on the part of Her Majesty's Government to deal further with this crofter question. Now, on matters of fact, I differ somewhat both from the hon. and learned Member who moved the Amendment (Mr. Anderson) and from the right hon. and learned Gentleman the Lord Advocate. I cannot admit that it was on the ground that there was disturbance in certain counties, and that violence prevailed there, that the Crofters' Act was carried. It was carried because there were cases in certain districts which were most urgent. Not only in the way of violence and disturbance, but it was applied to certain districts, because in those districts the worst cases existed. A Royal Commission was appointed to inquire into those cases. A very painstaking inquiry was made into the details of those cases, so that Parliament was able to know exactly how things stood in the counties to which the Bill was to apply. On the other hand I cannot admit that Parliament resolved to go so far and no further. I remember what the Lord Advocate referred to—namely, that there was a discussion in the time of the late Government as to whether the Bill should be extended, and that it was not extended. But the reason then given was that before extending it there ought to be further inquiry. There was certainly a strong case in equity for extending the Bill to other parts of Scotland. The cases in some other districts, and in the districts to which the Crofters Act was applied, were so much alike that it was difficult to assign a good reason why the crofters in one part of Scotland should enjoy the advantages of the measure, and those in other parts should not. If I give an individual case it may bring the matter home to the mind of the Committee more than general argument. Take the Breadalbane estate in the counties of Perth and Argyle. Anyone crossing the border from the one county to the other would be unable, from the features of the country, to discover that he is passing from a district where the new system prevails to a district where the old system still continues. The estate in the two counties belongs to one man. It is scarcely a satisfactory state of the law to rest in that there should be a line of severance between two districts—a line between one county and another, and that on one side of that line Lord Breadalbane should be under most stringent obligations under the Crofters Act to grant fixity of tenure and other advantages to his crofters, that the Commissioners should be able to go there by-and-bye, and see that the rents are as they should be—it is a most unsatisfactory state of things that such a system should prevail on one side of the line, and directly you cross the line into the other county you should find Lord Breadalbane absolutely free, though the conditions are precisely the same. I have no doubt, as Lord Breadalbane is well known to be a very generous landlord, that he will deal with the crofters in one county as he does with those in the other;

nevertheless, the fact remains that in the one county he is bound by law, and in the other he is free to do as he likes. In the absence of a good many Scotch Members, but in the presence of some who will confirm me, I may say that the general feeling of Scotch Members was to this effect, that it was difficult to say to what parts of Scotland the Crofters Act should be extended, unless they were prepared, as my hon. Friend is, to extend that measure to the whole of Scotland. The Commissioners were charged to determine which are crofting parishes; they were not to apply the Act where there are few crofters and large numbers of fishermen. But anyone who knows the large amount of reductions made by the Commissioners already—reductions almost beyond expectation—will feel that it is scarcely possible satisfactorily to explain to the crofters who do not happen to be in the counties to which the Act applies on what principle of justice Parliament can deny to them what it has given to people in the same case in other parts of the country. It seems to me quite clear, whether we do it in this Bill or not, that there is much to be said for placing the crofters in some other counties on the same footing. Without saying that I would go the whole length of this Amendment, I consider that this is an opportunity of which Scotch Members should avail themselves to press upon the Government the necessity of giving early attention to this important matter.

MR. J. H. A. MACDONALD: The Secretary for Scotland and myself along with our Colleagues are most anxiously looking on the state of affairs in Scotland, and we shall certainly consider whether there may be need for extending the Act to other parts of Scotland. We cannot at the present stage undertake to bring in a Bill for extending the Act of last year. It is extremely likely that there may be need for no such thing, and, besides that, the districts to which the Act does not apply are no worse off than other districts to which it does apply, but to which the Crofters Commission cannot direct their attention for the next two years.

DR. CAMERON (Glasgow, College): I am anxious to say a word in support of this Amendment, because from the unexpected nature of this evening's proceedings there are so few Scotch Members present to take part in the debate. I trust we shall go to a Division upon this point. The right hon. and learned Gentleman the Lord Advocate has told us in very diplomatic terms something about the intentions of the Government; but his terms were so diplomatic that it was impossible for us, I think, to extract even a grain of comfort from them. He did not tell us that he had any intention of extending the Crofters Act to other parts of Scotland. Of course, he told us that the matter would receive his consideration, and what I would press upon him is this—that we did not pass the Crofters Act last Session for the purpose of currying favour or doing what was considered to be an act of absolute justice. It was passed because statesmen knew that something had to be done if the condition of Scotland were to be improved. What has been done has simply been trifling with the fringe of the question. The measure has only been applied to a few counties, but where it has been applied it has proved beneficial to the crofters. What, then, can be more natural than that crofters in other counties excluded from the operations of the Act should be inclined to believe the condition of their own county worse than the condition of districts in which so much has been done for their neighbours? They might review their own position at the present moment, and look upon it as relatively worse than it has ever been. They see what has been done in counties that have come under the Crofters Act—they see what has been done, they see how arrears have been wiped off, and how it is producing an impression upon the landlords even in their own counties. In spite of what has been said, I cannot but believe that the Crofters Act produces an effect in districts beyond those to which it immediately applies. I was glad to notice that, seemingly by way of capricious gift, landlords have come forward and wiped off the arrears of their tenants. They, doubtless, have acted in that way knowing that if they did not they would be brought before the Commissioners, and, probably, have to submit ultimately to sacrifices compulsorily, which, if submitted to voluntarily and with a good grace, would place them in better relations with their tenantry. I do not imagine that if the Act were ex-

tended to other counties in Scotland than to those to which it is applicable, it would involve any very large increase of expenditure. I have not the smallest doubt that when the landlords in the districts to which the Act is applied see the principles guiding the Commissioners in their adjudications, they will make terms with their tenants, and that in a great many cases the question of rents and arrears will be settled outside the Courts altogether. That state of things has occurred in a great many instances in Ireland, and it is beginning to occur in Scotland. If it takes place in the counties to which the present Act applies, I have not the smallest doubt that if the Act is extended to other places you will have an immense amount of settlement going on amongst the landlords and tenants who would not have recourse to the Courts at all. I thought it incumbent upon me to speak as strongly in support of the Amendment of my hon. Friend as it is in my power to do.

MR. FRASER-MACKINTOSH (Inverness-shire): Certain Members have been returned to this House to advocate the claims of the crofter population of Scotland. That being the case, I have the greatest pleasure in supporting the clause of the hon. and learned Member (Mr. Anderson). There is no doubt, as the Lord Advocate has said, that the question of the extension of the Crofters Bill was discussed in 1886. At the same time, whatever decision was arrived at in that year, it is necessary for us, every time the opportunity offers, to raise our voices in advocacy of the principle of extending the Act to the whole of Scotland. Another very important point has been raised by my hon. and learned Friend, and that is that leaseholders should be included in the Crofters Act. That is the same thing that is being done for Ireland in the House of Lords at this moment, and there is no reason in the world why that important class should not be allowed the same privileges in Scotland. Many landlords in Scotland have put such pressure upon their tenants that the latter have signed leases contracting themselves out of the benefits of the Act.

DR. CLARK (Caithness): All I would say is that we have had an understanding with the Government that this measure shall only embrace those points of the Crofters Act which, by mistake, were not put into the original measure. As this question raised by my hon. and learned Friend is outside the questions it was understood we were to deal with, if my hon. and learned Friend presses his Motion those of us who were parties to that understanding, though we may be in favour of the proposal, will require to leave the House and not vote at all. All I wish to do is to give a practical——

THE CHAIRMAN: Order, order! When the Crofters Bill of last year was under discussion, I refused to admit an Amendment the effect of which would have been to extend the measure to the whole of Scotland. I said I could not admit such an Amendment without an express direction from the House. Well, this is simply a Bill to amend the Act of last year; and if it was outside the power to introduce this Amendment in the original measure, it is obviously inadmissible in the amending Bill without an express Resolution of the House. Further discussion, therefore, upon the proposed clause is out of Order.

MR. HUNTER (Aberdeen, N.): In the absence of my hon. Friend the Member for East Aberdeen (Mr. Esslemont), I beg to move the insertion of the following clause:—

"In this and the principal Act crofters shall mean any person who at the passing of this Act is tenant of a holding from year to year or under lease the annual rent of which does not exceed thirty pounds in money, and which is situated in a crofter's parish, and the successors of such person in the holding being his heirs or legatees."

MR. ANDERSON (Elgin and Nairn): Before that clause is moved, I wish to say a word on the point of Order. You will notice, Sir, that my proposal consists not of one, but of two clauses, and that your ruling only applies to the first. The 2nd clause is this—

"The principal Act and this Act shall extend to all crofters and cottars holding under leases."

Your ruling does not apply to that clause.

THE CHAIRMAN: I was under the impression that the two were one, seeing that the 2nd clause is not labelled in the margin as an independent clause.

MR. ANDERSON: Then I beg to move the clause. The reason for it is very obvious. I imagine it will be

accepted by the Government. Although I cannot now, after your ruling, Sir, take a Division upon the subject of extending the Act to every crofter and cottar in Scotland, I can do so on the question of extending the Act to leaseholders in the districts to which the Act at present applies. The point is an important one, because there are hundreds of crofters who are leaseholders in the counties in question; and why they should not have the benefits of the Act passes my imagination to conceive, especially when we remember that the Government themselves have acknowledged the principle, and have brought in a Bill, which is now in the House of Lords, extending the land legislation of Ireland to leaseholders. There can be no reason in the world why the Act should not be extended to leaseholders; therefore, I await with some curiosity to hear what objection the right hon. and learned Gentleman the Lord Advocate can take to my proposal.

New Clause (Extension of Act to leases,)—(*Mr. Anderson,*) *brought up*, and read the first time.

Question proposed, "That the said Clause be now read a second time."

MR. J. H. A. MACDONALD): I can give the hon. and learned Member this assurance, that the Government are in favour of the principle as they have demonstrated by its introduction into their Irish Land Bill, where they extend the benefit of the new land laws to leaseholders. But this Bill has been brought in for a particular purpose, and I trust the hon. Member will rest satisfied with having called attention to the subject. I can assure him that the Government have not lost sight of the point to which he has referred.

MR. C. S. PARKER: Might I ask the Lord Advocate whether he will consider—of course, in the absence of many Members of the Government I cannot expect him to give a pledge—before the Report stage of the Bill, whether an Amendment cannot be introduced to effect the object my hon. Friend has in view in moving this clause? I should think it quite possible he may be able to do that.

MR. J. H. A. MACDONALD: I will do so.

MR. HUNTER (Aberdeen, N.): The number of persons which would be benefited by this clause of my hon. Friend's would be inconsiderable. There can be no doubt that the hard and fast line drawn in the Crofters Bill last year included the enormous majority of the crofters, although it may have left a small sprinkling outside who were exactly in the same position as crofters holding from year to year. Under the circumstances, however, seeing that the original Act did not include these persons, I should advise my hon. Friend to withdraw his proposal.

THE CHAIRMAN: Does the hon. and learned Gentleman press his clause?

MR. ANDERSON: I am afraid I shall have to do so.

Question put.

The Committee *divided:*—Ayes 75; Noes 132: Majority 57.—(Div. List, No. 277.)

Bill *reported;* as amended, to be considered *To-morrow.*

CRIMINAL LAW (SCOTLAND) PROCEDURE (No. 2) BILL.—[BILL 196.]

(*The Lord Advocate, Mr. Secretary Matthews, Mr. Solicitor General for Scotland.*)

COMMITTEE.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

DR. CAMERON (Glasgow, College) said, that this Bill was intended to simplify procedure in connection with Scottish Criminal Legal procedure; but in doing so it gave the risk of a greater danger—that of simplifying procedure to such an extent as in the hands of the Procurators Fiscal might convert the Criminal Law of Scotland into a kind of power of attorney. He must remind them that Procurators Fiscal were often also agents of landowners, and as such were interested parties in many cases in which they were called upon to act as prosecutors, such as in Game Law cases and riots in connection with evictions. The Lord Advocate's Predecessor, had, whenever he could, endeavoured to supplant these hybrid Public Prosecutors by officers who would be solely Public Prosecutors, but the Treasury had placed obstacles in the way, and the administration of justice still remained to a large extent in the hands of these gentlemen, who could hardly be called impartial. In no part of the United Kingdom were the

officials administering public justice so irresponsible and so protected by privilege as in Scotland. At the beginning of the Session the Lord Advocate had told the House that it was a mistake to consider those Procurators Fiscal irresponsible, as he was their representative in the House and responsible for them; but as everyone knew the Lord Advocate must be a Member of the Government which had a majority in the House, which made him independent of censure. The fate of Scotch Members in bringing such subjects under the attention of the Government was to be put off, unless in those very rare cases in which the Lord Advocate admitted—as the hon. Member admitted the present Lord Advocate sometimes admitted—that his subordinates had made a mistake. The Amendment he had to propose was—

"That no measure dealing with Criminal Law Procedure in Scotland can be satisfactory which leaves untouched the exceptional hardships and disabilities imposed under that procedure upon prisoners previous to their committal for trial."

He thought it the natural complement of this attempt to amend criminal procedure to take steps for lightening the grievances suffered under the past procedure by innocent persons, or persons presumed to be innocent, before sufficient evidence had been produced against them to justify their committal for trial. The fact that the Procurator Fiscal read the law to be so and so, and arrested a person on a charge which he considered a crime, was a good defence against legal proceedings being taken against the Procurator Fiscal. He (Dr. Cameron) was as strongly impressed as anyone could be with the general superiority of the principles on which the Criminal Law was administered in Scotland over those in England. He believed it was the function of the State, and not private individuals, to prosecute crime; and, accordingly, he thought that the Scotch system was much better than that prevailing in England. But the Scotch system was an old one, and in connection with it they found various relics of much older and less civilized times than the present age. He would give a case of what might occur under the present administration of Scottish Law. In connection with the recent agitations in Skye a meeting was held, at which two gentlemen made speeches. One of them was a clergyman of the Established Church, and the other was a gentleman whose respectability was vouched for by the fact that he was the leader, guide, philosopher, and friend of the right hon. Gentleman the Member for West Birmingham (Mr. Joseph Chamberlain) when he recently visited Skye. Now, those two gentlemen, having made speeches at the meeting, were arrested a month after the meeting had been held, on what proved to be an incorrect report of those speeches, published in an Inverness newspaper. They were not arrested by way of summons, although it was absolutely impossible the clergyman could run away from his living. They were arrested summarily by warrant, and under the aggravating circumstances that a detachment of the Marines were sent to prevent opposition. Well, the clergyman was arrested and sent to prison, but after two or three days there he was liberated on bail. The other gentleman, John Macpherson, was sent to prison and kept there seven days, and during that time he was debarred from any intercourse with a solicitor. At the end of that time—there being no evidence against him—he was dismissed at 10 o'clock at night, and he was left to walk at that hour 35 miles to his home. He instituted an action against the Procurator Fiscal; but it was held there was no ground of action in the case. In fact, unless malice and wantonness could be proved against a Procurator Fiscal, there was no remedy against him in such cases. Now, he (Dr. Cameron) thought that one of the subjects which the right hon. and learned Lord Advocate should deal with in connection with this Bill, by way of mitigating the hardships that might be suffered by innocent men on arrest, would be the laying down of a rule as to the cases in which persons suspected of crime might be arrested by warrant and those cases in which they should be summoned. In that case, where *quasi*-political feeling ran high, the men were arrested by warrant at night, and under circumstances most inconvenient. He thought they ought to have been summoned, and left to obey the summons. There was a great temptation to arrest suspects in Scotland, because the warrant enabled them to be examined and to have their depositions taken, in which what the prisoner admitted against himself might be used as

evidence against himself; but what he said in his favour was not evidence for him. And, further, the fact of the arrest being by warrant allowed of a search being made into his papers. He did not mean to say that those rights of search might not be valuable in the hands of the authorities; but they were obnoxious, and should be jealously guarded, and the Lord Advocate should take steps to guard against their abuse, and lay down rules as to the cases in which this mode should be resorted to. He had the authority of, perhaps, the highest authority on Scottish Criminal Law, given at a time when his ideas were not warped by the exigencies of Office or considerations of Party expediency—he referred to the right hon. and learned Lord Advocate himself. When examined before the Law Courts Commission, the right hon. and learned Gentleman said—

"I think the subject of declarations is one requiring notice. I have never been able to reconcile myself to the practice of taking a declaration from a prisoner before you allow him to get any legal advice."

The right hon. and learned Gentleman, in his evidence, had also said that he did not see why an accused person should not have his agent at his elbow when his depositions were read over to him. He was asked what occurred in cases where access was had to his solicitors, and he said that in cases of that kind they generally declined to make declarations. In short, the right hon. and learned Gentleman was examined and re-examined on that occasion, and he stuck most manfully to his opinion that it was a feature of the Scottish law to which he had an unconquerable objection, that an unconvicted prisoner should be submitted to examination without the benefit of legal advice. He now asked the right hon. and learned Gentleman to remedy that state of things, and he trusted he would have the courage of his convictions, now that he was in a position to carry them into effect. Another matter in which there was room for improvement was that a person thus arrested should be capable of being bailed out. At the present moment in Scotland a man arrested on the vaguest suspicion on the warrant of a Public Prosecutor, who might be the agent of the landlord on whose property the offence was alleged to have been committed, might be kept in prison for, perhaps, seven days without being allowed to communicate with his solicitor, and all that time he could not be bailed out, and the anomaly was made all the more absurd by the fact that, under the Scotch law, a person committed for trial was not only allowed, but was entitled to claim, the right of bail, and the bail was fixed by Statute, and he maintained there could be no ground for withholding the same right from uncommitted prisoners. There were a number of other Amendments of detail which, he thought, might with advantage be embodied in the Bill. There was, for instance, the practice in Scotland of proving previous convictions before the jury as part of the case for the prosecution. In England that was done only after a verdict of guilty was returned. That was a matter in which he thought the Scotch law might with advantage be amended in a large number of cases. What he wished to ask the right hon. and learned Lord Advocate to do was to supplement those provisions of his Bill which increased the already very great powers of the Procurator Fiscal, and which, in many instances, would invent new crimes or make attempts into offences, by such provisions as would do away with the exceptional hardships endured by uncommitted prisoners under the Scotch law. But questions of this kind were more properly matters for Committee. The hon. Member concluded by moving that the Committee be put off for three months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day three months."—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I do not at all complain of my hon. Friend the Member for the College Division of Glasgow in his efforts to improve the law in the manner referred to in his Motion; and, certainly, I think the authors of the Bill have no reason to complain of the reception it has met with so far. The Amendments which my hon. Friend has put on the Paper seem so admirable and so complete for the purpose of improving

the Bill that no one has seen fit to add another Amendment. I think, when we get into Committee, the hon. Member will find that he has given very substantial assistance to the authors of the Bill, because, while there are some of his Amendments which I cannot accept, there are others which, I think, will be improvements on the Bill. This discussion will also be most useful, because it will bring before the people of Scotland a subject of the very greatest possible importance—a subject which I should have liked very much indeed to deal with at once in this Bill, if I had been satisfied that, in doing so, I really would be carrying out the wishes of the people of Scotland. But I have the gravest doubts of that. I hope opinion has developed since I gave that evidence which the hon. Member has alluded to. I stated at that time that my views were peculiar views, and I am not certain that they do not continue peculiar views. I still hold them with the strength I held them then; and if I were in a position to give effect to them—not by thrusting them on the people, but upon the people of Scotland coming to agree with them—I shall be very happy to embody them in a Bill. My purpose in bringing in this Bill was not so much to touch those matters about which there may still be differences of opinion in Scotland as to carry out what I have known for long to be the opinion, not only of the profession, but of the members of the public who took an interest in these matters—namely, to get rid of a large amount of cumbrous procedure. My hon. Friend, in supporting his Motion, referred to Procurators Fiscal, and expressed his desire that they should be men of independent position, who should be exclusively devoted to their work. It is simply a question whether these gentlemen are to be a real part of the Public Service, or remain as they were at present. It is highly undesirable that the present state of things should continue. My hon. Friend has stated clearly what the great difficulty in the way is. At the same time, I may say that every effort is being made, and in every case which arises we shall endeavour to find a gentleman suitable for the position, who will accept such salary as may be fixed by the Treasury for giving his services exclusively to the work; and it shall be my effort, as long as I am in Office, and I know it has been, and will continue to be, the effort of my Predecessor, as much as possible to promote such an arrangement. I do not believe we shall ever have our system in the condition in which it ought to be until Procurators Fiscal are as much a part of the Public Service as any other Department in the service of the Crown. My hon. Friend proposes that I should endeavour in this Bill, which is one for simplifying the procedure of the law of Scotland, to define for what offences it should be competent to grant a warrant of arrest, and for what offences it shall be competent only to grant a summons. I very much fear, if that were attempted, instead of being a simplification this Bill would be a complication of the law. The question whether a person is to be arrested at once for an offence or summoned does not so much depend on the mere name you give to the offence as to the circumstances under which it has taken place, and the grounds you have for expecting that by arrest, as distinguished from citation, you may be able to prevent the putting away of evidence. Then my hon. Friend asks me to lay down a list of offences for which a warrant should not be used, but a summons, and he mentioned what he called cases of a *quasi*-political nature. I should have thought you could not by any possibility name any class of crime which it was more impossible to define in an Act of Parliament than a "*quasi*-political offence," because there, again, it is not the offence which constitutes it a *quasi*-political offence—it is the circumstances which surround it. That offence may be known to and punishable by the Common Law. It is quite true we are told every day in this House that the resistance to eviction in Ireland, by blocking up the windows of the houses, by pouring down boiling gruel on the heads of the police, and slashing at them with cleeks for seizing fish, is constituted by the circumstances "a *quasi*-political offence;" but exactly the same action might be taken to prevent arrest by a regular criminal. The question whether a crime is political depends on considerations which cannot be put into an Act of Parliament. Many hon. Members of this House will differ as to whether a thing that occurs is of a political or *quasi*-political, or simply of a criminal character; and it is impos-

sible to lay down any definite rule how such cases should be distinguished. It must be left to the discretion of officials to determine whether they will arrest for an act, or whether a summons should be issued. In carrying out any procedure whatever you cannot avoid the necessity of depending to a certain extent upon the discretion of your officials, and all you can do in cases where discretion is abused and mistakes of a serious kind are made, is to bring public opinion and the opinion of this House to bear upon them. My hon. Friend has devoted a considerable amount of time to drawing Amendments, some of which we will find, when we get into Committee, to be extremely useful; but he has not attempted to put his hand to drawing a single Amendment for the purpose of carrying out the things which he complains are not in this Bill. With regard to the question of taking declarations and the procedure after arrest, these cannot be dealt with so easily as the hon. Member thinks, as there are a great number of points which will have to be considered, especially as regards the law of bail. It must not be forgotten that while in our country a man may be kept in close confinement and examined on declaration, he, to a certain extent, gains a great advantage by that, which he would be deprived of if we abolished our system of declaration. The privilege is this—that in Scotland nothing can be brought up in evidence against a prisoner which has been the result of interrogation by officials, except his declaration, which is taken before a magistrate, and under an express caution that anything he says may be used against him. If a police constable, before taking him prisoner, interrogates him about the offence, or about what he has been doing, the police constable is not permitted to give evidence as to that conversation. If you once abolish that system of declarations, you will follow the English law, by which every conversation that takes place with a police constable or a prison warder can be used against the prisoner—a state of things which I should be extremely sorry to see. I may state that it is my intention to deal comprehensively with the subject of procedure on arrest, and with the subject of bail; but I find it impossible, in the short time at my disposal, and in view of the very complicated questions that arise, to import the matter into this Bill. It is a very difficult and complicated matter, and there is another thing to be remembered—that if you are going to abolish our Scottish system you must give a discretion to the magistrate to refuse bail altogether, in the preliminary stages of a case. The Scottish system proceeds upon the rule that you can keep a man in prison to enable you to make investigations, free from his being able to tamper with witnesses or put away documentary or other evidence. At the end of eight days a man is absolutely entitled to bail, because you are then considered to have had time to make your investigation. Therefore, you come to the question whether you must not in every case give the magistrate power to refuse bail. The old system of prison rules was, undoubtedly, Draconic, but for some time, under rules which were passed during the time that Lord Dalhousie was Secretary for Scotland, and when the right hon. and learned Member for Clackmannan (Mr. J. B. Balfour) was Lord Advocate, the procedure has been very much relaxed. I am perfectly prepared to put these rules into statutory form, but I do not see how it could be done in this Bill.

MR. C. S. PARKER (Perth) said, the right hon. and learned Gentleman the Lord Advocate had been justly complimentary to his hon. Friend (Dr. Cameron), on the pains he had taken to suggest additional provisions, and on the other hand, he (Mr. C. S. Parker) could say that the general opinion of those conversant with the subject in Scotland was very favourable to the Amendments in procedure proposed in the Bill. Of the further reforms suggested he thought none was more urgent than that which the right hon. and learned Lord Advocate seemed to approve—the giving to Procurators Fiscal a more independent position. That was really a financial question, and money spent in that direction would, he considered, be very well spent. But his object in rising was to appeal to his hon. Friend not to press the Amendment. As there were some 80 clauses of detail it seemed to him that the most practical course for Scotch Members was to go at once into Committee on the Bill and make progress with it.

MR. FRASER-MACKINTOSH (Inverness-shire) said, he could not re-

gard the statement of the right hon. and learned Gentleman the Lord Advocate as at all satisfactory. There was no particular hurry for this Bill being brought forward. It was principally supported by Sheriff-clerks, Procurators Fiscal, and other officials, to whom it would be a great convenience. All its more important changes seemed to lie in the direction of making the procedure more simple for the prosecutor whilst taking away the safeguards against injustice to the prisoner. Ought this Bill to be pressed forward in absence of the very important reforms affecting Criminal Law which are loudly demanded by the people of Scotland? He said "No"; and if the hon. Member for the College Division of Glasgow (Dr. Cameron) went to a Division he would support him.

MR. DONALD CRAWFORD (Lanark, N.E.) said, he hoped his hon. Friend would consent to allow the Bill to go into Committee. The hon. Member for the College Division of Glasgow (Dr. Cameron) had hit upon a blot in the principle of the Bill when he pointed to its failure to remedy the disabilities of the prisoner before he was committed for trial. The right hon. and learned Gentleman the Lord Advocate had rendered a service to the Criminal Law of Scotland by framing this useful and practical measure. On one point, however, the right hon. Gentleman had shrunk somewhat from facing the necessary difficulties of the case, being probably deterred by the want of Parliamentary time. He referred to the question of bail. Although this Bill was a kind of code of criminal procedure, yet the subject of bail, which seemed to him to be one of the most important rights which an accused person possessed, was left out of view altogether. The right hon. and learned Lord Advocate said that while he acknowledged the importance of the subject, it was one of so much complication that he must reserve it for a separate Bill. He (Mr. Donald Crawford) demurred to that proposition altogether, and maintained that this was not the way in which a Bill of this kind ought to be constructed. It was also said that conversations with policemen and warders were admissible as evidence in England, but not in Scotland. In many cases which had come within his own experience in Scotland, voluntary admissions by prisoners to policemen and warders were not only admissible, but formed important links in evidence in criminal cases. With regard to Procurators Fiscal he was glad the Government were ready to acknowledge their position as public officers who should not derive their income partly from private parties. That was a principle for which many of them had contended a long time, and he was glad that the hon. and learned Lord Advocate had given such emphatic assent to it.

DR. CAMERON said, that his main object was to clear the way for the discussion of future Amendments. He would not put the House to the trouble of dividing, and asked leave to withdraw his Amendment.

Amendment, by leave *withdrawn*.

Main Question put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Interpretation).

On the Motion of The LORD ADVOCATE, the following Amendments made: —In page 1, after line 24, insert—

"Officer of police shall include chief constable, deputy chief constable, constable and criminal officer";

line 26, after "include," insert "the Procurator Fiscal of the City of Edinburgh, and shall include"; after line 30, insert—

"'District,' shall mean any part of a country in which a separate Court is held, and for which a separate procurator fiscal is appointed, and shall include any combinations of counties for which one sheriff court, and one procurator fiscal are appointed";

page 2, line 1, after "offence," insert "felony;" and in line 2, after "misdemeanour," insert "and shall include attempt."

Clause, as amended, *agreed to*.

Clause 2 (Indictment Forms in Schedule A.) *agreed to*.

Clause 3 (Procedure on resignation, death, or removal of Lord Advocate).

On the Motion of The LORD ADVOCATE, the following Amendment made: —In page 2, line 24, leave out "as prosecuting in the name of Her Majesty."

Clause, as amended, *agreed to*.

Clauses 3 to 7, inclusive, severally *agreed to*.

Clause 8 (Qualifying words in indictments to be implied).

DR. CAMERON (Glasgow, College): I beg to add at the end of page 3 the following words—"Except when the use of such qualifying allegation is of the essence of the offence charged." These words are found at the end of Clause 10. They seem to be very reasonable, and not likely to do any harm, and as they are recommended in the Report of the Society of Writers to the Signet, I trust the Committee will adopt them.

Amendment proposed,

In page 3, at end of Clause, add the words, "except when the use of such qualifying allegation is of the essence of the offence charged."—(*Dr. Cameron.*)

Question proposed, "That those words be there added."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) was understood to oppose the Amendment.

DR. CAMERON: My reason for proposing the addition of these words is that there are many cases where the acts done are fraudulent and criminal, but not knowingly fraudulent and criminal. We should have it that such and such an act shall be a crime, unless done without the intention of fraud. The words of the clause are distinctly such as require the insertion of words like those I propose, and as are proposed by the Writers to the Signet.

MR. J. H. A. MACDONALD was understood to say that the Government would take the matter into consideration.

DR. CAMERON: The right hon. and learned Gentleman will probably consider the matter before the Report stage, and I will, therefore, withdraw my Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 9 and 10, severally, *agreed to.*

Clause 11 (Perpetration procured to be done by another).

DR. CAMERON (Glasgow, College): I object to this clause on account of its application to certain criminal acts. It dispenses with the necessity in an indictment, after setting forth that a person accused does a certain act, to add any alternative words to cover the case of the accused person having caused or procured the doing of the act by another person, the alternative being implied in all cases where the doing of the act directly by any particular person was not of the essence of the charge. That is a very good principle in connection with civil responsibility, but a very dangerous one in connection with criminal responsibility. The latter portion of the clause seems to me to involve a very delicate imputation, and seems to be objectionable, especially so far a vicarious criminality is concerned. The clause after setting forth the liability of a person accused of a certain act contains words extending the action of the provision to a person procuring such act. These words have a wide application. They would make a person responsible for giving a piece of incautious advice, and to show that that idea is not strained, I would point out that during the last Recess, in consequence of some speeches I made on the Highland Land Question I—and other Members—have not merely had remonstrance used against us by a Judge in Court of Session, but have been distinctly informed that we might be proceeded against and brought within the survey of the criminal authority. I object to that. Under this clause it would be possible to proceed against a man who made a speech, even though he did not advise resistance. I never advise resistance; but I might be brought within the operations of the clause, simply through laying down some doctrine unpalatable to some person or other in authority. This clause mixes up that which is actually a crime under the law and that which may indirectly cause or procure a crime to be committed. It seems to me that the Scotch Law goes sufficiently far in that direction already, and that there can be no harm in leaving it as it is.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): If a magistrate in an inferior Court makes a mistake in law, he will be corrected by the superior Court. The object of the indictment is to give notice to the accused person that a charge is being brought against him. The clause in no way alters the existing law. It merely simplifies it.

MR. CALDWELL (Glasgow, St. Rollox): I cannot concur with the view of the Lord Advocate on this matter. If a

man is accused of having committed a crime, the indictment should say so; but under the clause, a person may be convicted of a crime not committed by him directly, but through the agency of another. I hold that that should not be allowed to take place without showing the fact on the face of the indictment. Although a man might be prepared with his witnesses to prove that he was not at the place where the crime was committed at the time it occurred, under this clause the prosecutor would be entitled on an indictment charging a person with having committed a crime to say, "Someone else did it under your direction." A man might in that way have a crime charged against him of which he had had no notice beforehand. The law of Scotland is clear and precise, to the effect that the crime shall be specifically stated in the indictment. If you wish to set forth that a man has made himself responsible for a crime committed by another under his direction, or that it was committed in any other way than directly by the prisoner himself, then, by the law of Scotland, you must set forth that fact on the face of the indictment.

MR. J. H. A. MACDONALD: This clause will apply to a certain number of special cases; but I will undertake to consider any reasonable objections to it on Report.

Clause, by leave, *withdrawn.*

Clause 12 *agreed to.*

Clause 13 (Possession of property, goods, or money).

DR. CAMERON (Glasgow, College): The objection I have to this clause is similar to that expressed by my hon. Colleague (Mr. Caldwell) to Clause 11. In a case of theft, it seems to me that there can be no hardship to require it to be stated that the goods were not the property of the accused. It seems to me most reasonable that that allegation should be made.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): There does not appear to me to be any ground for striking out the Clause. It is adopted almost literally from Lord Campbell's English Act, and in England it has worked extremely well. It has been found quite sufficient to describe the things stolen, without stating whose property they are. I am glad, for once, to be able to take a lesson from our English friends, and I hope my hon. Friend will not persist in his objection.

Clause, by leave, *withdrawn.*

Clause 14 *agreed to.*

Clause 15 ("Money" to include coin, bank notes, &c., &c.).

DR. CAMERON (Glasgow, College): I beg to move the following Amendments: — In page 5, line 4, after "realm" to insert the words, "Post Office Orders and Postal Orders," and also to insert the same words in line 7, after the word "coin."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Agreed.

Amendments *agreed to.*

Clause, as amended, *agreed to.*

Clauses 15 and 16, severally, *agreed to.*

Clause 17 (Petitions for warrants, and arrest thereon).

On the Motion of THE LORD ADVOCATE, the following Amendment made:—In page 5, line 15, after "arrest" insert "and commit."

DR. CAMERON (Glasgow, College): I have an Amendment to propose, in page 5, line 15, to leave out the words "suspected of or." I will not press the Amendment if the Lord Advocate has any serious objection to it.

Amendment proposed, in page 5, line 15, to leave out the words "suspected of or."—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It is necessary to make provision for cases of suspicion, and, therefore, I trust the hon. Member will not press his Amendment.

DR. CAMERON: I will withdraw it now, and move it in line 23.

Amendment, by leave, *withdrawn.*

THE CHAIRMAN: Order, order! There is an Amendment in the name of the Lord Advocate which will come before that which the hon. Member now proposes to move.

Amendment proposed,

In page 5, lines 16 and 17, to leave out the words "or for their commitment for further examination, or until liberated in due course of law."—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

DR. CAMERON: It is proposed by this clause to invest the officers of the law with the summary power of detaining witnesses in any criminal proceeding or inquiry.

MR. J. H. A. MACDONALD: In ordinary cases, it has sometimes been found necessary to arrest a witness in order to secure that he should be forthcoming when his evidence is required. It has been thought better to take that course in order to prevent a witness who desires to avoid giving evidence from escaping, and therefore power is given to any duly qualified officer of the law to arrest any such person in England or Ireland, under a warrant.

MR. FRASER-MACKINTOSH (Inverness-shire): Provision is made that the warrant shall be executed in England or Ireland. I think that is somewhat unnecessarily stretching the Criminal Law of Scotland.

MR. J. H. A. MACDONALD: No warrant can be put in force, unless it is backed by a superior Court. At present, a warrant sent from Scotland to this country cannot be executed.

MR. FRASER-MACKINTOSH: Am I to understand that in the event of a witness leaving the country, certain proceedings may be taken in order to secure his attendance as a witness, but that it will be necessary for some Judge, either in this country or Ireland, to endorse the warrant?

MR. J. H. A. MACDONALD: Yes; that is so.

Clause, as amended, *agreed to.*

Clause 18 (Declarations and previous convictions).

On the Motion of The LORD ADVOCATE, the following Amendments made:—In page 5, line 31, leave out "that is," and insert "or productions that are;" and in line 32, after "that," to leave out "such declaration and conviction," and insert "they."

Clause, as amended, *agreed to.*

Clauses 19 to 21, inclusive, severally *agreed to.*

Clause 22 (Warrants for citation).

Amendment proposed,

In page 6, line 25, after the word "county," add the words "and such sheriff and procurator fiscal shall have all the powers in regard to such case both before, at, and after the trial which they possess in relation to any case occurring within their own district."—(*The Lord Advocate.*)

Question proposed, "That those words be there added."

MR. FRASER-MACKINTOSH (Inverness-shire): May I ask if this Amendment in any way extends the jurisdiction of the Sheriff and Procurator Fiscal?

MR. J. H. A. MACDONALD: Not in the least.

MR. FRASER-MACKINTOSH: Then what is the meaning of it?

MR. J. H. A. MACDONALD: It means that for the purpose of the Act, these officers shall be able to act in districts over the borders of their own counties. I may say, at once, that it has often been found highly inconvenient in a district situated upon the borders of two counties to carry on judicial proceedings owing to the jurisdiction being confined to one county only. The object of this Amendment is to enable the Sheriff of either of the two counties or the Procurator Fiscal, to take up a case and conduct it through, although it may affect a district beyond the boundary of his present jurisdiction.

MR. FRASER-MACKINTOSH: Is the jurisdiction limited to adjoining counties, or does it apply to the whole of Scotland?

MR. J. H. A. MACDONALD: The jurisdiction is limited, and does not extend to the whole of Scotland.

Question put, and *agreed to.*

On the Motion of The LORD ADVOCATE, the following Amendment made:—In page 6, line 33, after "jurors," leave out "to such sitting."

Clause, as amended, *agreed to.*

Clause 23 (Service).

On the Motion of The LORD ADVOCATE, the following Amendments made:—In page 7, line 1, after "witnesses," insert "and list of productions;" and in line 6, after "service," insert "on him."

Clause, as amended, *agreed to.*

Clauses 24 and 25, severally *agreed to.*

Clause 26 (Record indictment and list of witnesses).

On the Motion of The LORD ADVOCATE, the following Amendments made:—In page 7, line 35, after "witnesses and," insert "a copy;" in page 7, line 39, leave out all after "office" to end of Clause.

Clause, as amended, *agreed to.*

Clauses 27 to 33, inclusive, severally *agreed to.*

Clause 34 (Supplementary lists of witnesses).

On the Motion of The LORD ADVOCATE, the following Amendments made:—In page 10, line 41, after "witnesses," insert "and of productions;" and in lines 42 and 43, leave out "and supplementary lists of productions other than extracts of previous convictions."

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. FRASER-MACKINTOSH (Inverness-shire): With regard to these Supplementary lists, I would ask the Lord Advocate if this is not introducing new matter altogether? I am afraid that in endeavouring to simplify the law the right hon. and learned Gentleman is introducing Amendments which are against the interests of accused persons.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I can assure the hon. Member that he is quite mistaken, and that this Amendment will not in any way prejudice the interests of a prisoner.

Question put, and *agreed to.*

Clause 35 *agreed to.*

Clause 36 (Written notice of special defence).

On the Motion of The LORD ADVOCATE, the following Amendments made:—In page 11, line 27, leave out "such," and insert "a;" and in page 12, line 5, after "before," insert "the."

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. CALDWELL (Glasgow, St. Rollox): According to the law of Scotland, as it stands at the present moment, a prisoner has the advantage, up to 48 hours of the day of trial, of being able to lodge any special defence he desires to make, and he is required to furnish a list of his witnesses previous to the trial. This clause will, I am afraid, make a material difference in the course of procedure, to the disadvantage of prisoners brought before the High Court of Justiciary. The first trial is taken before a Sheriff's Court, and according to this clause, the prisoner will have to lodge his special defence when he is taken before the Sheriff in a country place, and with the assistance of a country agent only; whereas, according to the present arrangement, if a prisoner is going to be tried before the High Court of Justiciary, he has the advantage of counsel to instruct him in regard to his defence. I think it is important that we should do nothing to curtail the rights of the prisoner, and if he is asked to plead at the first trial before the Sheriff's Court, and to lodge his special defence, I think he ought to have the benefit of counsel to advise him. If the prisoner is to be limited in any way in regard to the defence he desires to make, he certainly should have the benefit of the counsel who is to conduct the case in the High Court of Justiciary before he is compelled to do so. But, according to this clause, he will be bound to state his defence in the first instance, instead of being required to state it two days before the second trial, and after he has had the opportunity of consulting counsel. According to the existing law, a prisoner has the right of having counsel assigned to him gratuitously.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I hope the question will be allowed to stand over until the Report, and I will consider, before that stage, whether the clause requires amendment in the direction pointed out by the hon. Member.

Question put, and *agreed to.*

Clause 37 (Accused may have copies of witness and production lists for accused).

Amendment proposed, in page 12, lines 8 and 9, after "practice," to leave out the words "and to take a copy of the first thereof."—(*The Lord Advocate.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. FRASER-MACKINTOSH (Inverness-shire): May I ask the right hon. and learned Gentleman what he means by moving the omission of these words?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I propose the omission of the words because the matter is effectually dealt with in a previous part of the Bill.

Question put, and *negatived.*

On the Motion of the LORD ADVOCATE, the following Amendment made:—In page 12, line 11, after "of justiciary," insert "in Edinburgh."

Clause, as amended, *agreed to.*

Clause 38 (Notice of jury lists).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

DR. CAMERON (Glasgow, College): I object to the clause on the ground that at the present moment a prisoner is supplied with a list of jurors, and this clause will seriously curtail his rights. It provides that the prisoner shall not be supplied with a list of jurors, but that such list shall be kept in the office of the Sheriff of the district, from which he shall be entitled to have a copy taken. I do not see how this can be regarded as a simplification of the course of procedure, seeing that there is no expense or difficulty entailed upon the prisoner under the existing practice. What makes the matter worse is that the right hon. and learned Gentleman proposes to require the prisoner to exercise his rights within six days before the trial takes place. What I ask the right hon. and learned Gentleman is that he shall leave to the prisoner the same rights as those which he possesses at present. It is all very well to say that these persons in Scotland are defended by agents and counsel, who act gratuitously; but agents and counsel in that position are not likely to put themselves to any unnecessary trouble, and good service from them in such a case can neither be expected nor insured.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The list of jurors in 99 cases out of 100 is of no consequence whatever to the prisoner. I can assure my hon. Friend, from my own personal experience, that that is so in regard to ordinary cases. It is only in a case of very great importance, in reference to which there is some public feeling, or a case in which a serious crime has been committed, that we ever have any challenge of the jurors at all. I am quite certain that there is no lawyer in this House who has had any experience of the matter who will not confirm me when I say that such a thing as the challenge of jurors in ordinary criminal cases in Scotland is absolutely unknown, and it only takes place in trials of the highest importance, where the prisoner has a special solicitor engaged in his defence. I may add that the adoption of a proposal to strike out the clause would save a considerable amount of expense and inconvenience to the country. I have not, however, any very strong feeling with respect to the clause.

MR. HUNTER (Aberdeen, N.): Will the Lord Advocate agree to insert, at the end of the clause, a provision to require that a copy of the list shall be given gratuitously to the prisoner? If that addition were made, I think there would be no objection to the clause.

MR. J. H. A. MACDONALD: Yes; I am quite willing to accept that suggestion.

THE CHAIRMAN: The question before the Committee is that the clause stand part of the Bill. It cannot, therefore, be altered now; but it can be altered on the Report.

Question put, and *agreed to.*

Clause 39 (Notice of peremptory challenge six days before trial).

DR. CAMERON (Glasgow, College): I wish to move, as an Amendment, in page 12, line 31, to leave out "six," and insert "three." The object of the Amendment is to shorten the period during which the right of challenge is to exist. It is all very well to say that the right of challenge is never exercised. If so, it should be done away with altogether, and not be got rid of by a side wind. It seems to me that the alteration proposed by the Lord Advocate is calculated to interfere very materially with the right of challenge. In 99 cases out of 100 a prisoner, when arrested, will have no defence arranged; and, therefore, the right of challenge is very important. I know that in cases which come up from the country dis-

tricts the defence is not arranged until the very last moment. In such cases to require six clear days' notice, as is now proposed, would have the effect, I am quite certain, of knocking the right of challenge on the head. I, therefore, propose three days' notice instead of six; but I should prefer to see matters remain as they are.

Amendment proposed, in page 12, line 31, to leave out the word "six," and insert the word "three."—(*Dr. Cameron.*)

Question proposed, "That the word 'six' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I am quite willing to meet my hon. Friend half way, and will make the time four days instead of six.

DR. CAMERON: I understand that the object the right hon. and learned Gentleman has in view is to save the jurors being put to inconvenience. I quite admit that it would be for the convenience of jurors not to be summoned unnecessarily; but it seems to me that three days would afford ample time for giving notice that their attendance would not be required. I am acquainted with a case which occurred some time ago, and in which the right hon. and learned Gentleman was himself concerned, in which, if six days' notice had been required, or even three days', the right of challenge would have been entirely knocked on the head.

MR. J. H. A. MACDONALD: My hon. Friend forgets that the law under this measure will not remain as it is now; and I think that four days' notice is all I ought to consent to, and all that could be done with safety.

MR. ESSLEMONT (Aberdeen, E.): I entirely sympathize with the Lord Advocate when he says that it entails great expense and inconvenience upon jurors to summon their attendance unnecessarily; and I think it is only fair and reasonable to prevent men from coming up from a great distance, at considerable inconvenience, when they are not likely to be accepted as jurymen, and when, in point of fact, their services are not wanted.

MR. FRASER-MACKINTOSH (Inverness-shire): The Lord Advocate seems to imply that if a juryman is challenged in any particular case his services will be dispensed with; but the right hon. and learned Gentleman must be aware that it is very rarely that only one case is set down for trial. As a matter of fact, there are generally half-a-dozen cases on the list, and the chances are that the juror would be called in one or other of them. No doubt, it would be a hard case to compel a juryman to remain in attendance when his services were not likely to be required.

MR. CALDWELL (Glasgow, St. Rollox): I think if the Lord Advocate is going to insist upon the prisoner giving notice of his intention to challenge the jury three or four days before the trial he ought, at least, to concede to him a list of the jurymen along with the indictment, in the usual way, so that he may have the means before him of exercising his right of challenge within those three or four days. I think it will be found, in practice, that nobody ever attends the Court until the day of trial. No counsel certainly puts in an appearance before the day of trial, and no agent is likely to go into the case before the trial becomes imminent. The result would, therefore, be that if six days' notice, or even four, are required to be given of an intention to exercise the right of challenge, the right itself would be practically foregone altogether. Certainly, if the notice is to stand in its present shape, a list of the jurymen ought to be granted to the prisoner, with a distinct intimation that he must exercise his right of challenge at a certain time, or forego it altogether. At present, this measure is taking two important safeguards away from the prisoner. It is depriving him, in the first place, of a list of jurymen which has always hitherto been printed on and formed part of the indictment; and, on the other hand, you are compelling the prisoner, if he does not challenge any of the jury, before the lapse of four days, to forego his right of challenge altogether. I do not think we ought to deprive the prisoner of both of these safeguards, but that, at least, we should leave him one of them.

MR. J. H. A. MACDONALD: I do not think there would be any difficulty or any hardship upon the prisoner; but it would be a great boon for jurors to be relieved from attendance, instead of being summoned unnecessarily. In re-

gard to the remarks of my hon. Friend the Member for Inverness-shire (Mr. Fraser-Mackintosh), I may say that the Bill itself expressly provides that when there are more cases for trial than one, jurors who may be challenged will still be summoned, unless they are challenged in connection with the other cases. It often happens, however, that there is only one case for trial; and it is very hard to keep the jurors in attendance under such circumstances.

MR. DONALD CRAWFORD (Lanark, N.E.): I think the Lord Advocate would be well advised if he would accept the compromise of three days proposed by the hon. Member for the College Division of Glasgow (Dr. Cameron). Even in that form the proposal to deprive the prisoner of the right of peremptory challenge at the trial is a serious one. Three days would give ample time for a letter to be posted to any juryman, if his attendance is not wanted.

Question, "That the word 'six' stand part of the Clause," put, and *negatived.*

Question, "That the word 'three' be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clauses 40 and 41 severally *agreed to.*

Clause 42 (Second diet where plea of guilty at first diet is withdrawn).

On the Motion of The Lord Advocate, the following Amendments made:—

In page 13, line 32, to leave out "any interlocutor pronounced by the sheriff," and insert "the proceedings;" and in lines 39 and 40, to leave out "or where the court shall alter any interlocutor pronounced at the first diet."

Clause, as amended, *agreed to.*

Clause 43 *agreed to.*

Clause 44 (Prevention of delay in trials).

DR. CAMERON (Glasgow, College), in moving to omit the clause, said: This clause proposes to abolish what is equivalent in Scotland to the *Habeas Corpus* of England, and I think we are entitled to have good cause shown before we abolish what are known as running letters. I have put down this Amendment to omit the clause, chiefly for the purpose of securing the continuance of the existing state of things. The Bill has now come on for discussion somewhat unexpectedly, and I am afraid that many hon. Members who take an interest in the measure are absent. I find among the reports upon this Bill one from the Society of Writers to the Signet, in which they point out that this clause will make a most important change in the present law. As to running letters, they say that the Bill proposes to abolish the running letters provided by the Act of 1701. They add that the provisions of the Act of 1701 have worked well, and they object to the proposed clause on the ground that it will work inconveniently, and will not tend to simplify the law. In the Act of 1701 there are several important provisions in favour of accused persons which this Bill proposes to get rid of. The existing Act provides that, after an accused person has adopted the mode of procedure specified in the Act, he shall be for ever free from all question or process in regard to the crime of which he has been accused. The existence of that provision prevents a prisoner from undergoing a second trial for the same offence, and that I believe is the recognized law of this country. I, therefore, beg to move the omission of the clause.

Amendment proposed, in pages 14 and 15, to leave out Clause 44.—(*Dr. Cameron.*)

Question proposed, "That Clause 44 stand part of the Bill."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I think it quite reasonable that some explanation should be asked for in regard to this clause. My hon. Friend has called attention to certain statements by the Society of Writers to the Signet; but he must allow me to point out that the Act of 1701 is almost a dead letter, and cannot be rendered operative without considerable expense being incurred—an expense far beyond the means of a poor man. The Writers to the Signet complain that the Bill will deprive prisoners of the great advantage of being free for ever from the possibility of being tried a second time; but they forget altogether that that only applies to prisoners who have been detained in prison. The Act of 1701 does not apply to prisoners who have been liberated on bail, or who are at large, and this clause is intended to give them that liberty which they cannot obtain under the Act of 1701. I have no particular desire that the clause

should remain in the Bill; but I should be very much surprised, indeed, if any criminal lawyer who has had experience of the working of the Act of 1701 should be in favour of retaining its provisions. The object of this clause is simply to call on the prosecutor to show cause why he does not bring the accused up for trial after a reasonable time, and it gives the accused an opportunity of coming forward to show cause why he ought to be liberated. The mode of procedure adopted under this clause will be cheapened and simplified; and that which has been provided under the Act of 1701 is almost a dead letter in the case of poor prisoners, on the simple ground that they cannot get letters of information without incurring considerable expense. The procedure under the Act of 1701 is also highly complicated.

MR. DONALD CRAWFORD (Lanark, N.E.): I entirely sympathize with the object of the Lord Advocate in introducing this clause; but I confess that I do not think his answer has entirely cleared up the difficulty which has been raised by the hon. Member for the College Division of Glasgow. The point raised by my hon. Friend, and which is based on the Report of the Society of Writers to the Signet, is, that the Act of 1701 which the Lord Advocate proposes to get rid of by this clause, and which my hon. Friend accurately described as equivalent to a writ of *Habeas Corpus* in England, among other things provides that after taking certain steps, and after his imprisonment has extended to a certain term, a man cannot be imprisoned again or tried on the same charge. Of course, that is a privilege of the utmost importance. The Lord Advocate says that the provision referred to by my hon. Friend only applies to cases where an accused person is in prison at the time, and that this clause will apply also to persons who are out on bail, or otherwise at liberty. I do not dispute that, and so far the clause is an improvement. Again, the period of imprisonment is shortened. The prisoner must have been in prison for 60 days, and then the Crown has 14 days allowed for inquiry. That amounts to 74 days; whereas, as I understand the existing law of Scotland, there are now 100 days allowed in which Criminal Letters may run. But the point is, that there is no provision corresponding to the existing provision of freedom from the same charge in all future time. I do not, at present, say whether that is right or wrong; but, at all events, it makes an enormous change in the Criminal Law; and it does seem to me a considerable hardship that a man should be kept in prison for so long a period as that, and then be liable to be re-tried, under an express provision of this Bill, upon the same charge. I think that is a point which requires consideration.

MR. J. H. A. MACDONALD: Under the Act of 1701, at any period during the running of the 100 days, if the prosecutor takes certain steps, the operation of the Act instantly ceases, and at any time the accused can be re-apprehended and tried.

MR. DONALD CRAWFORD: He cannot be tried twice.

MR. J. H. A. MACDONALD: He cannot be tried at all, unless an indictment has been preferred against him.

MR. FRASER-MACKINTOSH: I think the Lord Advocate is somewhat mistaken as to the operation of the Act of 1701. When proceedings are taken under what are called running letters, unless an accused person is found guilty within 100 days he is set free for ever. This clause only allows him to be let out of prison, and will render him liable to be re-apprehended.

MR. J. H. A. MACDONALD: That is not so; and it is not the law, under the Act of 1701, that a prisoner must be brought up for trial within 100 days.

DR. CLARK (Caithness): If a prisoner is kept in custody for 60 days, and is not tried, why should the prosecutor have power to keep him in prison for 60 days more?

MR. J. H. A. MACDONALD: He cannot be kept in prison for another 60 days. He can only be indicted, and then 14 days are allowed to prepare for the trial.

MR. CALDWELL (Glasgow, St. Rollox): I think that in altering a procedure of this kind we should have regard to the existing sentiment of the country, and not go back to the Act of 1701, under which we find that a person may be kept in prison for a long period without being brought to trial. The clause, as I understand, is introduced for the purpose of modifying that practice; but I think that the clause itself might be considerably modified. As the provision now stands, a prisoner, after

he has been 60 days in prison, can appeal to the Court for an order calling upon the prosecutor to show cause why he should not proceed by indictment. I think the clause should run something in this way—that, after an accused person has been in prison for 60 days on a magistrate's warrant, the warrant should lapse, and that the prisoner should then be entitled to liberation unless the prosecutor shows cause why he does not issue an indictment. In my opinion, it ought to be made peremptory that no person shall be confined in any prison in Scotland for a longer period than 60 days without an indictment being served upon him, unless the case is brought before the High Court of Justiciary, and special authority is given for retaining him longer in prison. I may point out also that there is a slight difference in the existing law and the proposed change in reference to the indictment itself. For instance, if a prisoner runs his Letters the case can only be taken up on what is technically known as Criminal Letters, and if, under such Criminal Letters, the indictment breaks down, the prisoner is then set free. I know myself several instances where Letters have been run, in the hope that there might be some flaw in the indictment. I certainly think that the warrant should lapse if a prisoner is not brought to trial within 60 days, unless the Court makes a special order.

MR. J. H. A. MACDONALD: I have had that subject under consideration—namely, whether the warrant should lapse without notice; but as there is some difficulty in the matter, it will, perhaps, be better to consider it on the Report.

MR. DONALD CRAWFORD: I understand the right hon. and learned Gentleman to say that at present the prisoner is not free from prosecution on the same charge unless an indictment has been served upon him. This discussion has come on unexpectedly, and I must in the meantime accept his statement of the law. Indeed, if the Lord Advocate had given that information in the first instance I should not have troubled him with any remarks. My recollection of the law was that if a prisoner has been detained for a certain time, and had taken certain steps, he is relieved from the liability of being tried.

Question put, and *negatived.*

Clause *agreed to.*

Clause 45 (High Court of Justiciary).

DR. CLARK (Caithness): I see that the Lord Advocate has an important Amendment to propose in this clause. I would suggest that the best course would be to leave out the clause altogether, and bring it up in an amended form on the Report stage.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I do not think there will be any difficulty in dealing with the clause now. I have to move, in page 15, line 33, to leave out all the words after "one of," in order to insert the words—

"The senators of the College of Justice in Scotland shall, in virtue of such appointment, be a Lord Commissioner of Justiciary in Scotland, and all the senators of the College of Justice now in office, who are not Lords Commissioners of Justiciary, are hereby appointed to be Lords Commissioners of Justiciary, and every senator of the College of Justice, not being appointed to the office of Lord Justice General, or Lord Justice Clerk, shall officiate in rotation as Lord Ordinary on the Bills in vacation: Provided always, that the five presently existing Lords Commissioners of Justiciary, other than the Lord Justice General and Lord Justice Clerk, shall not be required to officiate as Lord Ordinary on the Bills, and shall, in the High Court of Justiciary, take precedence of those senators of the College of Justice who are created Lords Commissioners of Justiciary by this Act."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 46 *struck out* of the Bill.

Clause 47 (Sittings of High Court).

On the Motion of THE LORD ADVOCATE, the following Amendment made:—In page 16, line 12, to leave out "the High Court of."

Clause, as amended, *agreed to.*

Clause 48 (Sittings in any town convenient for the trial).

On the Motion of THE LORD ADVOCATE, the following Amendment made:—In page 16, line 24, to leave out "the High Court of Justiciary shall have power to hold," and insert "when the High Court of Justiciary shall exercise its power of holding."

Clause, as amended, *agreed to.*

Clause 49 *agreed to.*

Clause 50 (Adjournment of second diets).

On the Motion of THE LORD ADVOCATE, the following Amendment made:—In

page 17, line 6, to leave out "the High Court of."

Clause, as amended, *agreed to.*

Clause 51 (Sitting transferred where few cases).

On the Motion of The LORD ADVOCATE, the following Amendment made:—In page 17, line 14, to leave out "the High Court of."

Clause, as amended, *agreed to,* and ordered to stand part of the Bill.

Clauses 52 to 54, inclusive, severally *agreed to.*

Clause 55 (Number of jury).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

DR. CAMERON (Glasgow, College): This clause proposes to alter the number of the jury. I can quite see the reasonableness of not having too large a number of jurors; but when we are dealing with this branch of the question, may I suggest the propriety of making a distinction between juries which are to try capital offences and juries which are not to try such offences? The Bill leaves 15 as the number of jurors required to try capital offences, and reduces to 11 the number required to try ordinary offences. I am perfectly certain that it will be infinitely more in accordance with the feeling of the age, and of the people generally, that there should be no verdict in the case of a capital trial if there is only a bare majority, but that, at least, 10 out of 15 shall be required to be in favour of a conviction. I do not think we ought to be entitled to hang a man by a bare casting voice of a single juryman. Perhaps, this is a matter which hardly falls within the scope of the Bill; but while we are making a distinction between capital and non-capital cases, I would venture to suggest that it may be worth while to do away with the reproach against the Scotch law which now exists—namely, that a capital sentence may be carried out by the verdict of a bare majority.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): My experience, which has now extended over a number of years, is that in capital cases it is hardly possible, and I have never known an instance, for a man to be convicted by a bare majority. If the verdict of the jury in such a case should be eight to seven, I am perfectly satisfied that the sentence would not be carried into effect; and it is much more probable that with a slight majority of that kind in favour of a conviction, the law, as it stands, would operate in favour of the prisoner.

MR. CALDWELL (Glasgow, St. Rollox): I do not know that there will be any advantage in altering the constitution of the jury at all. At present, according to the law of Scotland, although the verdict is that of the majority, provision is made that there must be at least 8 jurors in favour of a conviction before sentence can be carried out. This clause now proposes to reduce the majority to six. I quite agree with what the Lord Advocate has said in regard to the verdict of a bare majority, and I am satisfied that in such a case a man convicted of murder would only have to appeal to the Home Secretary in order to ensure that the sentence would not be carried out. In cases of ordinary crime, probably, the Home Secretary would not interfere, even although the conviction was arrived at by a bare majority only. The object of this Bill is to simplify the procedure in connection with the Scotch Criminal Law; but I think that, in this instance, the Government are cutting the matter a little too fine. We have, in Scotland, no necessity for unanimous verdicts. The existing Scotch system has worked so long and so well, that I cannot see what practical purpose is to be attained by changing it. I think we might leave the matter exactly as it is at present. If we are to upset the existing number of 15 jurymen, I do not see where we are to stop. We open up the whole question, and then some may say two-thirds, or fix any other number. I think there is considerable danger in interfering with the present law at all; and I believe it would be better to leave the law exactly as it stands, allowing the prisoner to have the benefit of the fact that there must be eight jurymen in favour of a conviction.

MR. J. H. A. MACDONALD: Let me point out that in 1867 the Government recommended a jury of nine with a bare majority.

MR. HUNTER (Aberdeen, N.): I would suggest that we have now arrived at a time when Progress may be reported. We have already scrambled

through—for I cannot say we have discussed—54 clauses of the Bill in less than an hour; and the Bill itself came on when many Scotch Members did not know it would be reached, or, if it was reached at all, that it would be able to be brought on before 2 or 3 o'clock in the morning. There is another reason why I think the Lord Advocate should consent to report Progress now. Most of the clauses we have already disposed of deal with matters of form; but this clause deals with a matter of substance, and a very serious matter of substance indeed—namely, the number of jurors who are to constitute a jury. I certainly desire that some further time, at all events, should be given for the consideration of such a serious question as the alteration of the number of the jury from 15 to 11. I, therefore, think that the most convenient course would be to report Progress, and I will make a Motion to that effect.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Hunter.*)

DR. CAMERON: There certainly remains in the Bill matters of serious importance for the Lord Advocate to consider. I do not think the right hon. and learned Gentleman can complain that any difficulty has been put in his way this evening. We have made considerable progress with the clauses, and the Government are now in a position to go on with the Bill at any hour. I think my right hon. and learned Friend may congratulate himself upon having got through an excellent night's work.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I hope the Committee will consent to go on for some time longer. I quite agree that considerable Progress has been made with the Bill; but I do not think it would be advisable to break off the discussion at so early an hour as half-past 11, when there are no substantial Amendments on the Paper, and when those which are on the Paper have already been there for some time.

DR. CLARK (Caithness): Will the right hon. Gentleman agree to report Progress if we give him 30 more clauses.

MR. W. H. SMITH: Let us see what questions are raised when we get beyond the 30 additional clauses which the hon. Gentleman mentions. If the questions raised are such that they cannot be fairly dealt with to-night, it would be but reasonable that we should report Progress.

MR. HUNTER: The Government must see that this is a clause which cannot be allowed to pass without some discussion. It is a clause which alters the number of jurors in criminal trials.

MR. ESSLEMONT (Aberdeen, E.): I trust the Lord Advocate will allow the number of jurors to stand as it is.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. ESSLEMONT (Aberdeen, E.): I do not think that anyone will deny that the present jury system in Scotland has worked very well. We ought not to apply one kind of justice to capital offences and another kind of justice to crimes which are supposed to be of less importance. Why, if the crime is an assault reflecting on a man's character, should it be treated, as regards the jury, differently from a capital offence? If a jury of 11 is as good as a jury of 15, it is as good in one case as in another. I hope the Lord Advocate will be conservative enough to allow the number to stand at 15.

MR. FRASER-MACKINTOSH (Inverness-shire): A little while ago the right hon. Gentleman the Leader of the House (Mr. W. H. Smith), speaking upon the Motion to report Progress, said, that if there was anything substantial in the Amendments, raising matters of difficulty, he would agree to report Progress. I can assure him, that this is one of the most important Amendments which could possibly be proposed. What would the right hon. Gentleman think, if all of a sudden it were suggested that the number of jurors in England should be reduced from 12 to 9. I think he would consider that suggestion a very important one. The practice of having 15 jurors has been long established in Scotland, and no whisper of complaint has ever been made against it. We certainly will not agree to this clause without dividing upon it.

MR. C. S. PARKER (Perth): May I suggest to the right hon. and learned Gentleman the advisability of postponing the clause.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): This is not a question in which anybody is interested, except the prisoners and the jurors themselves. The origin of the clause is the Report of the Royal Commission. If there is any public feeling in favour of retaining four additional men on the jury in ordinary cases I have no objection to the continuance of the present system. As a lawyer, it is not a question in which I have any interest whatever. I should certainly like to stand by the clause; but if there is real objection to it I will not press it.

MR. DONALD CRAWFORD (Lanark, N.E.): I think it is right to say, that as a lawyer I know very strong representations have been made from various quarters as to the great inconvenience to jurors of the present system. I entirely confirm what the Lord Advocate says on that subject, and certainly the recommendations of the Royal Commission go a long way to support the proposal which is now made. The inconvenience of the present system to jurors is enormous. It is a very great public evil that a panel of jurors, say, of 45 men at the least and very often of a much larger number, are brought up and perhaps there is not a single case to try, or, if there is, it is only of a very paltry character. I am sure that 11 men are enough to try anybody for any offence short of a capital offence. I hope the Lord Advocate will adhere to the clause.

MR. ESSLEMONT: My hon. Friend (Mr. Donald Crawford) is not quite right in regard to the number of jurors. What is complained of, and I hope he will take it from me, is the fact that 45 men are summoned, whereas there is no necessity whatever for more than 30 to be summoned. It is notorious in Scotland that four or five times the number of jurors required are summoned. My hon. Friend must remember that challenges have not now to be taken, unless there is warning given. I am quite satisfied, from a long experience of seeing juries called, that there is no complaint as to the number of 15. There is only complaint that 50 or 60 should be called, and only 15 required to go into the jury-box. I think he is confounding, if I may take the liberty of saying so, the calling of a large number of jurymen to attend at Court while only 15 are actually required.

MR. HUNTER: Allow me to point out to the English Members who are present what the effect of this clause will be. At the present moment, a man is tried in England by a jury of 12, and there must be unanimity among them as to the conviction of a prisoner. In Scotland it is suggested that there should be 11 men upon the jury, and that if there are six in favour of a verdict of guilty, that shall be sufficient. That is the point of objection, and what I complain of is the bringing forward of a question of this kind really without notice, and when owing to the peculiar circumstances of the sitting many Scotch Members are not present. This is a matter affecting seriously one of the oldest institutions of the country. I admit there is a great deal to be said in the way of criticism of the existing law, and that it is quite possible that something better might be suggested than the present clause or the existing practice. Perhaps, if the provision as to the majority of the 11 were taken out, that might be more satisfactory. At all events, this is too important a subject to be disposed of in this fashion, and therefore it would be well for the Government either to agree to report Progress or to postpone the clause.

Original Question put.

The Committee *divided:*—Ayes 138; Noes 83: Majority 55. — (Div. List, No. 278.)

Clause 56 (Clerk to state charge and swear jury).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. FRASER-MACKINTOSH (Inverness-shire): I wish to ask the Lord Advocate, what is meant by the latter part of the clause—namely—

"It shall not be necessary to lay before the jury copies of the indictment list of witnesses, or list of productions?"

At present, when a case comes before a jury, a print of the indictment is laid before each of them. If that is not done, I cannot see how a jury can have an intelligent conception of what is going on.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St.

Andrew's Universities): In England the jury get no list of witnesses or copy of the indictment laid before them. The nature of the charge is stated; all the jury receive is a general statement of the charge.

Question put, and *agreed to.*

Clause 57 *agreed to.*

Clause 58 (Capital cases).

On the Motion of The Lord Advocate, the following Amendment made:—

In page 19, line 3, after "only," insert—"But nothing in this clause contained shall render bailable any of the offences above set forth, which are not now bailable, or shall extend the powers of the sheriff in regard to punishments."

Clause, as amended, *agreed to.*

Clauses 59 to 62 inclusive severally *agreed to.*

Clause 63 (Attempt at crime).

DR. CAMERON (Glasgow, College): I beg to move to leave out the latter portion of this clause—namely—

"And under an indictment which charges a completed crime, the person accused may be lawfully convicted of an attempt to commit such crime; and under an indictment charging an attempt, the person accused may be convicted of such attempt, although the evidence be sufficient to prove the completion of the crime said to have been attempted; and under an indictment which charges a crime which imports personal injury inflicted by the person accused, resulting in death or serious injury to the person, the person accused may be lawfully convicted of the assault or other injurious act, and may also be lawfully convicted of the aggravation that such assault or other injurious act was committed with intent to commit such crime."

Amendment proposed, in page 19, ine 44, leave out from "crime" to end of Clause.—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The object of the part of the clause which my hon. Friend proposes to leave out is to prevent a very anomalous result which sometimes happens. It is sometimes a very narrow thing in the investigation of a case, as to whether a theft or an attempt to commit a theft has been committed. On ome occasions it turns out by a word or wo dropped accidentally by a witness, hat what is supposed to be merely an attempt to commit a theft is actually theft, and the result is that the individual charged goes scot free. Surely, it is no injustice to a prisoner to say that if he is charged with an attempt, and it is proved that the attempt was successful, he shall be convicted of the attempt.

Question put, and *agreed to.*

Clause *agreed to.*

Clauses 63 and 64 severally *agreed to.*

Clause 65 (Previous convictions of dishonesty).

On the Motion of The LORD ADVOCATE, the following Amendment made:—

In page 20, line 33, leave out "such crime, or attempt to commit such crime," and insert "of the crimes, or attempts to commit crime above set forth."

Clause, as amended, *agreed to.*

Clause 66 (Previous convictions of violence).

MR. FRASER-MACKINTOSH (Inverness-shire): I understand that this is a criminal procedure Bill applicable to Scotland. I should like to ask the Lord Advocate whether it is not a novelty to adduce in trials in Scotland proof of previous convictions obtained in another part of the United Kingdom.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It was decided a good many years ago that a conviction in England can be used as an aggravation of an offence committed in Scotland, and it has been decided that a crime committed within the United Kingdom can be brought up as an aggravation of a similar crime committed in Scotland.

MR. CALDWELL (Glasgow, St. Rollox): The words of the clause are—

"Extracts of previous convictions of any crime inferring personal violence obtained in any part of the United Kingdom."

That does not include Ireland; and on what principle is it that there is a distinction between a crime committed in England and a crime committed in Ireland, in so far as the law of Scotland is concerned? Ireland occupies the same position to Scotland as England does. I think the Lord Advocate should insert the words "and Ireland" or else their will be another Irish grievance.

Clause *agreed to.*

Clauses 67 to 71, inclusive, severally *agreed to.*

Clause 72 (Variance between indictment and evidence).

On the Motion of The LORD ADVOCATE, the following Amendment made:—In page 22, line 25, leave out "at the trial."

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. FRASER-MACKINTOSH (Inverness-shire): I appeal to the Lord Advocate not to persevere with this clause. It has always been understood that an indictment, final and unchangeable, shall be served on a prisoner several days before the trial, and if Amendments are allowed to be made in the indictment after service, it is possible injustice to the accused may accrue.

MR. CALDWELL (Glasgow, St. Rollox): I wish to point out that the Lord Advocate has not accepted a single safeguard that we have proposed to this Bill. By the existing law of Scotland you are bound to prove the indictment, and what you are proposing to do now is to deprive the prisoner of his chance of getting off in the event of the evidence turning out different from the indictment. That is no doubt done with a view of preventing the escape of prisoners who are guilty, but I consider the existing law on the subject to be one of those safeguards which compel prosecutors to be extremely careful; because if the case is not stated with strict correctness the prisoner may go free. If you allow the prosecution to say "the evidence is a little different, but we will alter the indictment," it is an unsafe innovation, because the existing practice has been found to work well.

Question put, and *agreed to.*

Clauses 74 to 76, inclusive, severally *agreed to.*

Clause 77 (Act not to apply to treason).

DR. CLARK (Caithness): I hope the Lord Advocate will abandon this clause. I maintain that the existing law and practice with regard to treason requires improvement as much as any other portion of the Criminal Law, and I submit that there is no ground whatever for the exemption which is made here.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I point out to the hon. Gentleman that the law of treason is not different in Scotland from that in England and Ireland, and we are of opinion that so far as this Bill is concerned, the present position ought to be maintained.

DR. CLARK: I am not dealing with the law at present, but exclusively with procedure, and I submit that there is a very good case for my proposal.

MR. CALDWELL (Glasgow, St. Rollox): I do not think that in this Bill there is a single right conferred upon the prisoner; while, on the other hand, everything in the Bill tends to take away some right which the prisoner previously possessed. Under this Clause a prosecutor will be able to ask for conviction, even if the indictment and the evidence were at variance.

Clause *agreed to.*

Clauses 79 and 80 severally *agreed* .

Schedules *agreed to;* with Amendments.

Bill *reported;* as amended, to be considered upon *Thursday* next.

LICENSED PREMISES (EARLIER CLOSING) (SCOTLAND) BILL.—[BILL 153.]

(*Dr. Cameron, Mr. R. T. Reid, Mr. Mark Stewart, Mr. Donald Crawford, Mr. Lyell, Mr. Provand.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Dr. Cameron.*)

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Hambro.*)

MR. ILLINGWORTH (Bradford, W.): I hope that the hon. and gallant Gentleman opposite will not press his Motion, seeing that this is a reasonable hour, and that we have before us Business that can be got rid of.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I trust that at this early hour we may be allowed to proceed with the Bill, and that my hon. and gallant Friend will consent to withdraw his Motion for the Adjournment of the House.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Commencement of Act).

MR. MILVAIN (Durham): I hope that at this hour we shall not proceed further with this Bill, which is a further encroachment on the liberty of the subject in Scotland. The Committee has just discussed a Bill of great length, dealing with procedure in criminal cases in Scotland, and during discussion a Motion was made to report Progress in consequence of the absence of Scotch Members. That, I think, is one reason why the Committee should be now adjourned. I am sure there are a number of Scotch Members who would wish to speak on the question of the Constitutional privileges of the people of Scotland; and, for these reasons, I think the hour is too late to endeavour to proceed further with the discussion of this measure.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Milvain.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I would make an appeal to my hon. Friend to allow the discussion of the Bill to proceed. There is a large number of Scotch Members present; and as the hon. Members in charge of the Bill have had the good fortune to get it put down for consideration to-night, I think it only reasonable that they should be allowed to go forward with the measure; and I would, therefore, express a hope that my hon. Friend will not press his Motion to a Division.

Question put, and *negatived.*

Clause *agreed to.*

Clause 4 (Alteration of certificate forms. Certificates for inns and hotels. Certificates for public-houses. Certificates for grocers, &c.).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I think it right to take this opportunity of stating my views of the subject with which this clause is intended to deal. I am clearly of opinion, and have been so for a very long time, that it would be a great advantage to Scotland if in many places the hour of closing were earlier than at present, and I am certain that in some places it would be a great improvement if the hour were earlier than 10 o'clock. I know from what happened some years ago in more than one place in Scotland that the magistrates thought it would be a good thing to make a stipulation before granting licences that those who accepted licences should do so on the condition of closing at a certain hour, and that the expectations of the magistrates were fulfilled in an extraordinary way. It was found that the habit of the people improved to a great degree, and that a great improvement of morals took place. But it was held by a Court of Law in Scotland that the magistrates were not entitled to go behind the Act of Parliament, by making an agreement with those by whom they were called upon to grant licences. The old practice was then renewed in the places where the experiment had been tried, with the result that the former undesirable state of things re-appeared. Therefore, I think that if you can adjust the hours of closing and, possibly, the hours of opening public-houses, so as to suit the habits of the district, it would be productive of a good effect. But while I say that, I think hon. Members will agree that there are many parts of the country where the habits of the people, owing to the conditions of life, are of such a nature as to keep them later out of bed, and that those parts of the country should be treated differently. I am of opinion that 11 o'clock is not too late an hour for the closing of public-houses in such places as Edinburgh and Glasgow. I am certain that if it were attempted to close public-houses in London at 11 o'clock, or earlier, practically there would be a revolution in the Metropolis. In cases of this kind you must have reasonable consideration for the habits of the district with which you are dealing; and, therefore, I think my hon. Friends will do well to consider whether, in endeavouring to amend the law and improve it, they are acting wisely in taking the hard-and-fast line of 10 o'clock for closing public-houses all over the country. I think that the Act by which a rule was made that throughout Scotland the hour of closing public-

houses should not be later than 11 has had a good effect in towns. There can be no question about that; and I think it possible that, even in some of those towns, 10 o'clock is a reasonable hour. I would, therefore, ask my hon. Friends whether they will not so modify the Bill that, while adapting the law to the more improved habits of the people in some parts of the country, they should recognize the claims of populous places by leaving the law where it stands? I, therefore, propose to amend the clause, so that the hour of closing may be earlier in the country; and then, if it is found that there are places where it should be later, these can be named in the Schedule.

THE CHAIRMAN: I must point out to the right hon. and learned Gentleman that the Question, "That this Clause stand part of the Bill," has been put, and that it is too late to propose his Amendment to the Committee.

DR. CAMERON (Glasgow, College): I think the convenient course would be for the right hon. and learned Gentleman to accept the Bill as it stands at this stage, and to propose to amend it on Report. The Bill has been on the Paper for a long time, and I hope the present stage of the Bill will not be delayed by the discussion of the proposed Amendment.

Question put, and *agreed to.*

Clauses 5 to 9, inclusive, severally *agreed to.*

Motion made, and Question proposed, "That the Bill be reported to the House without Amendment."

MR. J. H. A. MACDONALD: When does the hon. Gentleman intend to take the Report stage?

DR. CAMERON: I propose to put it down for Tuesday. I understand that the right hon. and learned Gentleman's Amendment will be brought forward on the Report stage.

THE CHAIRMAN: There is no Report stage, because, in this case, there has been no amendment of the Bill.

Question put, and *agreed to.*

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I understand that at the next stage a Motion will be made to re-commit the Bill, and that, if necessary, the Amendment of the Lord Advocate will be moved to the Schedule.

Bill *reported*, without Amendment; to be read the third time *To-morrow.*

ALLOTMENTS AND COTTAGE GARDENS COMPENSATION BILL.—[BILL 167.]

(*Sir Edward Birkbeck, Mr. Finch-Hatton, Sir Henry Selwin-Ibbetson, Mr. Gurdon, Viscount Curzon, Sir Savile Crossley, Mr. Norton.*)

COMMITTEE. [*Progress 20th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Extent of Act).

DR. TANNER (Cork Co., Mid): If this Bill is intended to benefit certain classes of the community—that is to say, possessors of allotments—I do not see why it should not be extended to Scotland and Ireland. I have no idea of raising a protracted debate, or a debate of any undue length; and I merely ask the hon. Member who is in charge of the Bill if he would not allow this Bill to be extended in this way, or recommend it to be extended to holders of allotments in Scotland and Ireland?

Motion made, and Question proposed, "That Clause 2 stand part of the Bill."

DR. TANNER: I hope I shall get some answer to my question. When an appeal of that kind is made, if only as a matter of courtesy, the Member in charge of the Bill should say something in reply.

SIR EDWARD BIRKBECK (Norfolk, E.): As regards Ireland, this Bill is only following up the Agricultural Holdings Act; and, so far as Scotland is concerned, when that Bill was introduced, a separate measure was brought in, extending the provisions of the Agricultural Holdings Act to that country, and a separate Compensation Bill can also, in this case, be brought in for Scotland if desired.

DR. TANNER: Well, even if Scotland is to be exempted, I do not see why Ireland should be left out. Has the hon. Baronet any reason in exempting Ireland? Irish labourers are a very deserving class; and when you are conferring a benefit of this kind upon English labourers, I should hope that even on the opposite side of the House there are hon. Members who would back me up, when I say that a similar benefit

should be conferred on the Irish labourers.

THE SOLICITOR GENERAL FOR IRELAND (Mr. GIBSON) (Liverpool, Walton): This Bill has not been extended to Ireland, because to do so would necessitate the re-writing of the whole of it. It is not necessary to adopt the course proposed by the hon. Member, for the reason that the Labourers' Act already provides great advantages for the Irish labourer, and because there are other Acts—those of 1870 and 1881—under which small tenants can obtain compensation. More than that, under the Act of 1860 it is competent for a tenant to obtain emblements.

DR. TANNER: I should like to know whether the Irish labourer who possesses an allotment, such an allotment as he may get under the Labourers' Act, if he tills an acre of land, or half-an-acre of land, which may be allotted to him—if he has planted fruit-trees on it, will he, if he is turned out, have any compensation for such improvement?

MR. GIBSON: Under the Land Act tenants might be entitled to compensation, as I understand it.

Question put, and *agreed to.*

Clause 3 *agreed to.*

Clause 4 (Definition).

MR. SWETENHAM (Carnarvon, &c.): I beg to move an Amendment in page 1, line 29, after "term," to insert "not being for less than a year." I make this Amendment in the interest of a very large body of cottage tenants, partly in mining districts, who are tenants sometimes for only a week, and sometimes for only a month. It must be obvious that in the mining districts—and I know that this is the case in the mining district in which I am particularly interested—a large number of cottage tenants take cottages with gardens attached to them only by the week or month. When trade is bad, cottagers sometimes have to give up their cottages at a week's or month's notice. Now, in the case of these cottages, good landlords have very frequently as many as 30 or 40 cottagers, to whom they have let, in connection with their cottages, a considerable portion of land by way of gardens. In the case of miners, it is very desirable that they should have gardens attached to their cottages, because they sometimes only work in mines for two, three, or four days a-week, and want some occupation for their spare time. There are none to whom it is so essential that they should have cottage gardens as the mining population. Well, if this Amendment is not accepted, it is clear that the landlords might be liable to have 30 or 40 of these cottage gardens thrown on their hands at a week's or a month's notice. That might happen in the case of a strike—the landlords might have these gardens thrown on their hands, and might be obliged to pay for these gardens and for produce, which could be of no possible advantage to them. What would be the result of such a state of things as that? Why it follows, as a matter of course, that those good landlords who have conferred these advantages upon their cottage tenants would be compelled, in their own interests, to refuse them in the future. They would be obliged to take away the gardens from the cottagers. ["No, no!"] Yes; I think so. The gardens would be taken away from the cottagers, and that result would work a great amount of detriment to a large number of persons.

Amendment proposed, in page 1, line 29, after the word "term," to insert the words "not being for less than a year."—(*Mr. Swetenham.*)

Question proposed, "That those words be there inserted."

SIR EDWARD BIRKBECK: I hope the Committee will not assent to this Amendment. It would be very hard indeed on a labourer who takes a cottage for a short time—say, from Lady Day, on the 25th of March—and crops his garden, if in July he quarrels with his landlord, and is turned out of his garden, and receives no compensation for his cropping and improvements.

MR. CHANNING (Northampton, E.): The real merit of this Bill is that it extends the principle of compensation, under the Agricultural Holdings Act, to classes of tenants who otherwise might be excluded from compensation by agreements for under one year.

Question put, and *negatived.*

Clause, as amended, *agreed to.*

Clause 5 (Compensation).

Amendment proposed, in page 2, line 15, after the word "upon," insert the

words "and for manure applied to."—(*Sir Edward Birkbeck.*)

Question proposed, "That those words be there inserted."

COLONEL HAMBRO (Dorset, S.): I am strongly in favour of this Bill; but, as an owner of some of these allotments, I must say that this word manure, as applied to land in this way, should not be contained in the Bill. From my experience, the holder of an allotment does not supply manure to the allotment, except that which is produced on the allotment, or is given to him by the farmer for whom he is working, or which he gets from the ash-pit, earth-closet, or cesspool. The only alternative to allowing manure of this kind to remain where it is is to put it on the land; and, with every wish to do whatever we can for the agricultural labourer, I must say I do not think we ought to give him compensation for manure of this kind placed upon the land.

SIR EDWARD BIRKBECK (Norfolk, E.): My attention was called to this matter, and it was considered by many Chambers of Agriculture as a great omission in the Bill. In answer to the hon. and gallant Member who has just spoken, I would point out that there are many holders of allotments where there are no pigs who buy manure and place it on their gardens; and I think it only right, in those cases where the holders of allotments have paid for their manure, and that manure is to the benefit of the land, that they should not be debarred from compensation.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I do not understand the hon. and gallant Member to object to compensation being granted in respect of manure, if it has been paid for by the holder of the allotment. As the clause stands, it would give the tenant compensation for manure applied to the land from whatever source derived. If these words are to be inserted I would suggest that they be amended, so as to read "and for manure applied at the expense of the tenant to."

MR. JESSE COLLINGS (Birmingham, Bordesley): With regard to the case mentioned by the hon. and gallant Member opposite (Colonel Hambro) about ash-pits which are emptied upon the allotments, he must admit that the cottager puts his labour into the emptying of the ash-pits, and that in that way the manure is purchased—purchased b his labour. Though the cottager doe not give money for the manure he gives his time and labour, and I do not think he should lose his labour; but these, I admit, are rare cases, compared with those where the labourer pays for the manure out and out. I think the cases which have been referred to are not common enough to render any alteration such as has been suggested acceptable.

MR. CHAPLIN (Lincolnshire, Sleaford): I think that without doubt where the tenant has purchased manure he should be paid; but I would suggest to the hon. Baronet whether it would not be desirable to insert the word "purchased" before the word "manure." Unless the manure has been purchased, I do not see how any arbitrator will be able to decide what is the real value of the manure to the holder of the allotment.

SIR EDWARD BIRKBECK: I am ready to accept the Amendment of the Attorney General, to insert the words "at the expense of the tenant," if he thinks it is a matter of great importance.

SIR RICHARD WEBSTER: I move to insert those words.

Amendment proposed to the proposed Amendment, after the word "applied," to insert "at the expense of the tenant."—(*Sir Richard Webster.*)

Question proposed, "That those words be there inserted."

MR. ESSLEMONT (Aberdeen, E.): I object to these words. The hon. and learned Gentleman must know that incoming tenants must pay the farmers large sums of money for manure they find upon the premises. The manure upon the farm is a valuable commodity for which a large sum has to be paid to the tenant who has left it by his successor. The cottager may accumulate his little heap of manure, and it will be hard that he should be deprived of the value of it, merely because he has not paid for it. If he leaves the manure on the allotment he is entitled to be paid for it as much as if he were a large farmer.

COLONEL HAMBRO: I hope the Committee will understand that I am as much in favour as any other hon. Mem-

ber of giving fair compensation to a cottager for manure when he has paid for it. I certainly agree with the Attorney General's Amendment. If manure is supplied and paid for, the agricultural labourer should receive adequate compensation.

MR. JESSE COLLINGS: I think it will be seen that the suggestion of the hon. and gallant Member opposite (Colonel Hambro) would be a great hardship to the labourer. Supposing a labourer has an allotment and accumulates, by means of pigs, &c., a quantity of manure which he might sell for 10*s.* in the open market. Suppose that, instead of selling it, he puts it upon his allotment. If, while although he has not paid for it it is worth 10*s.* to him, this Amendment is put in, he would not receive a penny for it. If he had purchased 10*s.* worth of manure, although it might be inferior either in amount or quality to that produced on his allotment, he would be paid for it. Then, even in a case where manure is given to the tenant, he expends time and trouble upon the hauling of it. It may be that he has to draw it in a barrow, and that he has to cover a long distance, and that in order to get it on his land he has to go to a great deal of labour. The time and trouble he devotes to this work may represent a great deal of money to him, although he has paid nothing out of his pocket in hard cash. I submit that he is entitled to be paid for this labour.

SIR RICHARD WEBSTER: Whatever money the labourer may have expended on his allotment is covered; but it is now proposed to pay for manure which the labourer may not have purchased. I do not intend to limit my proposal to manure which may have been bought with money, nor to exclude any expense which may have been incurred in getting any manure; but I take it that if a farmer or a landlord has given the cottager a quantity of old straw manure the cottager ought not to be able to charge for it, neither ought he to be able to do so if it is entirely the growth of his occupation of the premises. I think the words I propose would cover the case mentioned by the hon. Member opposite (Mr. Esslemont).

SIR WALTER FOSTER (Derby, Ilkeston): These words would lead to a great amount of ambiguity, and would make the work of the arbitrator very difficult. If the manure be of value the arbitrator should say so, and if it be of no value he should declare it to be of no value; therefore, I think the words of the Attorney General are unnecessary.

MR. C. W. GRAY (Essex, Maldon): I should like the Amendment of the hon. Member below me (Sir Edward Birkbeck) to stand as it is. I should like to see done to the agricultural labourer very much what is done to the farmer, and I think that the difficulty of straw having been given might be very easily got over. When this Bill becomes law the landlord will know what has taken place, and will act accordingly.

MR. COBB (Warwick, S.E., Rugby): However the manure is produced, I hold that the tenant of the allotment ought to be paid for it. We are simply quibbling about trifles. The object which we wish to effect is that the landlord should not get the benefit of any improvement made by the tenant without paying for it.

SIR RICHARD WEBSTER: I deny that we are quibbling. The question is one of principle. Probably it would be well to insert negative words to effect the object desired, and I would, therefore, suggest that after the word "applied" we should add the words "otherwise than at the expense of the landlord." Then the Amendment would read, "and for manure applied otherwise than at the expense of the landlord."

MR. ILLINGWORTH (Bradford, W.): I would point out that if a bundle of straw has been given to the agricultural labourer it is his property. How, therefore, can you draw a distinction between manure purchased by the labourer and that derived from straw which has been given to him? The question is, is the landlord the better for the manure, whether given or purchased, which the labourer puts upon the land? I do not see how it can be a gift if that straw or other material is given to a tenant and the tenant is not allowed the value of it, if it is of value to the owner of the land, when he leaves his holding.

Amendment to the proposed Amendment, by leave, *withdrawn.*

Question put, and *agreed to.*

DR. TANNER (Cork, Co., Mid): I now beg to move the omission of the latter portion of Sub-section (b)—that is, to omit all the words after the word "holding" in line 15, and to insert in

the place of these words "the benefit of which is exhausted." The reason which I have to advance for making this change in the law is that the labour which is expended on the holding means practically more than the crops which have been gathered; and, accordingly, I think we ought to give the labourer the benefit of his toil and labour. We ought not to give him a portion of the profits of his labour, but the entire profits. I do not see why the landlord should reap the benefit of his tenant's labour, and, therefore, I move this Amendment.

Amendment proposed,

In page 2, to leave out all the words after the word "holding" in line 15 to the end of the Clause, and insert the words "the benefit of which is exhausted."—(*Dr. Tanner.*)

Question proposed, "That the words 'therefrom in anticipation of a future crop' stand part of the Clause."

MR. C. W. GRAY (Essex, Maldon): I should like to point out to the hon. Member for Mid Cork (Dr. Tanner), that when a farm has changed hands, it is the business of the valuer to put down the value of the work that has been done, and I take it that valuers will follow the same practice in connection with gardens and allotments. It would be for the valuers to determine whether work which was claimed for was of so much value, or of less value.

MR. CHANCE (Kilkenny, S.): That is the ordinary rule. Valuers discover what is the unexhausted value of a holding; but here they will be prevented from valuing any labour, save the labour which has been applied since last crop. The tenant may improve his holding, and if the value of the labour expended is unexhausted I do not see why the tenant should not get the benefit to the extent of that unexhausted value. I may also point out that under the Irish Land Act unexhausted improvements are always taken into account. It is specially provided that the benefit of unexhausted works should not go to the person who puts the tenant out. This is a very small point, and I do not see why we should depart from the usual principle. I hope the Committee, therefore, will accept this Amendment, which does not put the slightest hardship on the landlord, but merely calls upon him to pay the value of what he takes from the tenant.

SIR EDWARD BIRKBECK (Norfolk, E.): I hope the Committee will not accept this Amendment, for it will only complicate matters, and will take away entirely the simplicity of the Bill.

MR. CHANCE: May I point out that we do not propose to leave out the word "simple," but we propose to make the sub-section read thus—"for labour expended on the holding, the benefit of which is unexhausted." I do not see that there will be any great difficulty in ascertaining the amount of the benefit which is unexhausted. May I also point out that, under the clause as it stands, the landlord would have to pay for labour which has been uselessly or improperly expended on the holding since the last crop was taken off? I think it is unreasonable that a landlord should pay for labour which has not improved the holding, which is of no value to him or to any other man. Under the Amendment we propose the landlord will not have to pay for the labour thus thrown away, but only for that labour the benefit of which he gets.

THE CHAIRMAN: The hon. Gentleman is referring to an Amendment which has not been moved. The Amendment which has been moved is, "That the words 'therefrom in an anticipation of a future crop' stand part of the Clause."

DR. TANNER: I said, since the taking of the last crop.

THE CHAIRMAN: I have followed exactly the Amendment which is on the Paper, which is to leave out the words after the word "crop," and the omission of these words was put to the Committee.

DR. TANNER: I rose, not for the purpose of proposing the exact Amendment I had on the Paper, but of submitting an amended Amendment. I do not know whether I was quite in Order; but I consider the suggestion I have made is an improvement on what I had on the Paper. What I intended was to move the omission of all the words of the clause after the word "holding" for the purpose of inserting the words "the benefit of which is unexhausted;" and I may add, Sir, that it will really read a great deal better if amended as I propose than it does at present. As the clause stands in the Bill it is rather ambiguous; it is worse than that; it is

distinctly not very good English; it does not make very good sense. If the hon. Member, taking every one of these facts into consideration, accepts my Amendment, he will, I am sure, confer benefit upon the labourer, and, moreover, confer a certain amount of honour on himself, because he will add a law to the Statute Book which will be in comely, seemly, and grammatical language.

Question put, and *agreed to.*

Motion made, and Question proposed, "That Clause 5, as amended, stand part of the Bill."

MR. CONYBEARE (Cornwall, Camborne): Before you put the clause, Sir, I desire to make just one remark, and that is that there is no provision made in this clause to protect a tenant's property in any hay-stacks he may have upon his holding. I do not know whether it is essential that there should be such provision; but, from what I know of cottagers' gardens, I can assure hon. Members in charge of the Bill that there are cases in which cottagers have small haystacks. I merely suggest that some protection should be afforded, and if I am not right in my interpretation of the Bill I am sure the hon. Baronet (Sir Edward Birkbeck) will excuse me. There is another omission which strikes me very forcibly. Supposing a tenant has put up on his holding little outbuildings such as piggeries or others, would these be included under the expression of labour expended on the holding? I think that if you are going to protect the tenant's property in his holding at all, you should protect his interests in piggeries or other little outbuildings.

SIR EDWARD BIRKBECK (Norfolk, E.): I think the hon. Member will find that the Bill will cover the cost of haystacks; but he must remember that the Bill does not deal with buildings at all.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I should like to suggest to my hon. Friend in charge of the Bill that there is one omission in this sub-section. There is nothing in the sub-section to show that the labour which has been expended on the holding is for the advantage of the holding. I suggest to my hon. Friend that it would be well to add some words such as these, for example, "which is for the benefit of the holding." Is it perfectly clear that the valuer will be precluded by the words of the clause from estimating compensation for labour which may have been expended on the holding, and which may not have been for the advantage of the holding, but the reverse—misdirected labour? I do not see that on the face of the clause the arbitrator will have any choice in the matter—he will not be able to consider whether labour has been disadvantageous to the holding.

DR. TANNER (Cork Co., Mid): I was rather astonished when I saw the noble Viscount rise to address the Committee. I thought he was going to endorse what I had previously suggested; but my astonishment soon left me, for I found that the noble Viscount was only anxious to secure another advantage to the landlords. Before you put the clause, Sir, I should like to make another suggestion, and that is that after the word "crop" these words be inserted, "and such other benefits to the holding as may accrue from the labour applied thereon."

THE CHAIRMAN: The Question has been put, "That the Clause, as amended, stand part of the Bill."

Question put, and *agreed to.*

Clause 6 (Deduction from compensation on account of rent or breach of contract).

MR. CHANNING (Northampton, E.): I beg to move the omission of the words, in line 19, "or of any breach of the contract of tenancy committed by the tenant." The object of my Amendment will, I think, commend itself to the promoters of the Bill; because I think they may fairly claim some merit for having introduced in the previous clause the words, "notwithstanding any agreement to the contrary." The object of my Amendment is to prevent the benefits given by the Bill being contracted out of by a side wind. It is perfectly obvious that, under the words of the clause as it at present stands, it may be possible to introduce stipulations into the contract of tenancy, which may result in making the sums due to the landlord much greater than that due to the tenant. In such a way the benefits of the Bill might be evaded.

Amendment proposed,

In page 2, line 19, to leave out the words "or of any breach of the contract of tenancy committed by the tenant."—(*Mr. Channing.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): May I point out to the hon. Member that the mischief he desires to guard against is expressly met by the words of Section 5 "notwithstanding any agreement to the contrary." Any attempt to contract out of the Bill by a side wind is expressly covered by Section 5.

MR. CHANNING: I cannot in the least admit that the object of my Amendment is met by the words quoted. The hon. and learned Gentleman has not answered my point, which is that stipulations may be introduced into the contract of tenancy and penal rents be imposed for any breach of such stipulations, and thus compensation may be evaded.

Question put, and *negatived.*

On the Motion of Sir EDWARD BIRKBECK, the following Amendment made:—In page 2, line 19, after "tenancy," insert "or wilful or negligent damage;" in same line after "committed," insert "or permitted."

Clause, as amended, *agreed to.*

Clause 7 *agreed to.*

Clause 8 (Appointment of arbitrator).

MR. CHANNING (Northampton, E.): I beg to move the omission of all the words after "appointed," in line 28, to the end of the clause, and to insert—

"By the County Court on the application of either the landlord or the tenant, or by the Land Commissioners for England if the tenant so requires."

It seems to me an extraordinary proposal that the appointment of an arbitrator should be assigned to the Justices of the Peace. It seems to me not less surprising that such a proposal would come from the opposite side of the House in face of the fact that, only a few days ago, Lord Salisbury expressed considerable doubt as to placing powers in regard to allotments in the hands of Justices of the Peace. I do not think there would be any general, certainly there would not be an universal, concurrence in the choice of the Justices as the means of appointing an arbitrator, or that they would command the confidence of those chiefly interested. I agree with the remark the hon. Member for Essex (Mr. Gray) made on a previous Amendment, that we should, as far as possible, assimilate the position of the allotment holder to that of the tenant farmer—in fact, that we should extend the provisions of the Agricultural Holdings Act to the allotment holders as far as possible. My own view is that, while I approve the object of this Bill, I think a far better and more convenient way would be to remove the restrictions of the Agricultural Holdings Act, and to simplify and cheapen the procedure under that Act. The Amendment which I propose carries out that object so far as it can be carried out in this Bill if it passes into law. We would substitute the procedure of the Agricultural Holdings Act for the somewhat extraordinary procedure proposed by those who bring in this Bill.

Amendment proposed,

In page 2, line 28, to leave out all the words after the word "appointed" to the end of the Clause in order to insert, "by the County Court on the application of either the landlord or the tenant, or by the Land Commissioners of England if the tenant so requires."—(*Mr. Channing.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR EDWARD BIRKBECK (Norfolk, E.): I would point out to the hon. Member that there is great difficulty in arriving at who are the best authorities to appoint in this matter, and probably that when the Local Government Bill is passed, there would be a new authority to deal with it. A great many labourers have agreed with me that the magistrates in Petty Sessions are the easiest for them to get at. I would point out also that the amount of compensation to be received by any labourer would not in some cases exceed from 15*s.* to 20*s.*, and that if this Amendment were adopted the labourer would probably be landed in an expense above and beyond the amount which he asks for as compensation.

MR. A. J WILLIAMS (Glamorgan, S.): I wish to say that the appointment of an arbitrator is quite within the power of the parties who disagree. There is a great deal of force in the suggestion of the hon. Baronet. I agree that it is a very difficult thing to get at a tribunal

which is both efficient and independent; and in saying that I am myself speaking as one of the great unpaid. I agree that in all cases it would be better that some person in whom the tenant has confidence should be called upon to decide. It is only in the event of the labourers not having sufficient confidence that justice will be done by the unpaid magistrates that we wish this proposal to take effect. We have no other way in which we can provide a substitute in the event of the labourer not trusting to the magistrates, and I am bound to say that there are plenty of districts where they do not trust them. It is in that case that we wish an absolutely independent and economical system of arbitration should be arrived at. Again, we do not propose to take the tenant into the County Court; we only wish to give the labourer the option of going to what he supposes to be a more independent tribunal—to have an arbitrator appointed.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I trust the hon. Gentleman will not think it necessary to press this Amendment. The two tribunals suggested are the County Court and the Land Commissioners, which latter have their place of business in St. James's Square; and I venture to think that to bring them into play would be to render the whole proceeding an absurdity. Again, let the hon. Gentleman think for one moment of the position of the Justices, many of whom are on the Boards of Guardians, and sit week after week, and certainly in nine cases out of 10—I might almost say 99 cases out of 100—I believe the labourers would be able to agree as to one of them. It would be better to go to a body of men who are in the county, and well known.

MR. JESSE COLLINGS (Birmingham, Bordesley): I venture to hope that this Amendment will be withdrawn, because I am sure, if it is pressed, the Bill will in nine cases out of 10 not only be of no use to the labourers, but land them in positive loss. We know that when the Bill dealing with farm lands was before Parliament, we had great difficulty in getting the House to consent to the two acres area, because the difficulty of dealing with holdings so small was such that the whole machinery for dealing with large holdings would have to be applied to it. It has always been a difficulty to me to deal with these holdings, and I think the hon. Baronet is to be congratulated in selecting a most workable plan. We must remember that in 90 per cent of these cases the compensation will amount to 5*s.*, 10*s.*, and, in some cases, to 15*s.* and upwards. The very first cost would be the appointment of an arbitrator by the Judge, whose fee for valuation would be a guinea, and thus, even in the case of compensation on the highest scale, the labourer would be landed in a loss. It is of no use to attempt this experiment at all unless we have the simplest form of procedure, and I venture to say that even then the men must rely on the gratuitous and friendly service of someone in their neighbourhood. I hope the hon. Baronet will not load the Bill with an impossible condition which will not carry out the object he has in view, because, for the most part, the holdings are so small that we must rely on the landlord and tenant agreeing to a friendly and gratuitous arbitration, which I have no doubt will, as a rule, be found; and I would remark here that the reference of Lord Salisbury was to the Quarter Sessions, which is a very different thing from the Petty Sessions, the one being local persons and the other a county body.

MR. C. T. D. ACLAND (Cornwall, Launceston): I venture to think that the best way to proceed in this matter would be to substitute for the Petty Sessions the Board of Guardians, because a large proportion of that body is elected by the ratepayers of each parish, and some of them also are likely to be the very Justices of the Peace, to whom, under the Bill as it stands, the labourer would have to apply. The proposal has also this recommendation—that you will be sure to have someone on the Board acquainted with the actual parish in which the case occurs. For these reasons I believe that the Board of Guardians would be more satisfactory to the labourers than either the County Court or the Justices of the Peace alone.

MR. CONYBEARE (Cornwall, Camborne): I, of course, disapprove the way in which the clause is drafted, because I know that, however worthy the Justices of the Peace may be, there are many of them who do not command the confidence of those whom this Bill is in-

tended to benefit; and when you look at the extensive powers conferred by Clauses 14 and 16, by which you put the whole decision in these matters into the hands of one party—because that is what is practically the case, by allowing the landlords to decide for or against the claim—it seems to me very much like putting a mouse into the mouth of a cat. ["No, no!"] I do not mean my remarks to apply to all magistrates, but I say, for very good reasons, that there are many cases in which you cannot expect the people who are intended to be benefited to have confidence in the Justices of the Peace. With regard to the proposal made by the Mover of this Amendment, I do not think that to apply to the County Court Judge would be the best course to take, nor am I sure that the proposal made by the hon. Member for Launceston would meet the case, although it would go near to do so, because the Guardians are not liked, as a rule, by the labourers, whose qualifications do not always come up to the elective limit, and because, in many cases, the farmers, who are Guardians, are opposed to the claims of their labourers. I am desirous of seeing the least expensive and most efficient machinery adopted, and I suggest the consideration as to whether the usual plan of arbitration would not be more satisfactory than the plans which have been put forward—an umpire being appointed by the arbitrators in case of need. There would be no difficulty about this. We presume that the persons acting would not be professional gentlemen, but friends and neighbours taken from the immediate neighbourhood. This, as I have said, would be the usual practice, and the suggestion appears to me to be better than either of the proposals made.

Question put, and *negatived.*

Clause *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 306.]

MOTION.

DISTRESSED UNIONS (IRELAND) BILL.

On Motion of Mr. Arthur Balfour, Bill to make better provision for the administration of the Acts relating to the relief of the Destitute Poor in certain parts of Ireland; and for other purposes connected therewith, *ordered* to be brought in by Mr. Arthur Balfour, Mr. Solicitor General for Ireland, and Colonel King-Harman.

Bill *presented*, and read the first time. [Bill 307.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 1st July, 1887.

MINUTES]—PUBLIC BILLS—*First Reading*—Trust Companies * (151).

Second Reading—Committee negatived—Customs and Inland Revenue * (150).

Report—Irish Land Law (106-152); Lunacy Districts (Scotland) * (145).

Third Reading—Metropolis Management (Battersea and Westminster) * (101), and *passed.*

PROVISIONAL ORDER BILLS—*Second Reading*—Metropolis (Cable Street, Shadwell) * (134); Metropolis (Shelton Street, St. Giles) * (135); Local Government (No. 5) * (146); Local Government (No. 6) * (147); Local Government (No. 8) * (148); Local Government (Ireland) (Killiney and Ballybrack) * (149).

Report—Local Government (Ireland) (Dublin) * (95).

ARMY — CAMP OF THE GUARDS AT PIRBRIGHT.—QUESTION.

In reply to a Question by Lord SANDHURST,

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, that he had received a communication from the Military Authorities at Aldershot, enclosing the following Report from the Chief Constable of Surrey, with reference to the conduct of the men of the battalions of Foot Guards at Pirbright:—

"Surrey Constabulary Headquarters,
"Guilford, June 17.

"Sir,—Your letter, dated the 15th inst., and addressed (in error) to the Superintendent County Police, Guilford, instead of to the Chief Constable of the county, has been handed to me by that officer. In reply to your inquiry whether the conduct of the men of the battalions of the Guards at Pirbright towards civilians has been satisfactory since they went into camp there last year, I have the honour to acquaint you for the information of the Lieutenant-General commanding the division that, with one or two exceptions, of which you are probably aware, the conduct of the soldiers, so far as has been reported to me, has been good. My superintendent informs me that he has not re-

ceived any complaints from civilians regarding the conduct of the men now at Pirbright.

"I have the honour to be, Sir,
" Your obedient servant,
" H. C. HASTINGS, Chief Constable of Surrey.
" Colonel G. W. Robinson, Assistant Adjutant-General, Aldershot."

IRISH LAND LAW BILL.—(No. 106.)

(*The Lord Privy Seal.*)

REPORT.

Order of the Day for receiving the Report of the Amendments made by the Committee of the Whole House (on Recommitment) read.

Moved, "That the said Report be now received."

THE EARL OF DUNRAVEN: Before your Lordships proceed to consider the Amendments, I want to call the attention of the Government and the House to certain peculiarities in the Bill, and to elicit, if I can, some information as to its general tendency and character, and the effect that it will produce. I wish to ascertain what the Bill is intended to do, and what Her Majesty's Government expect that it will do. I admit that the course I am taking is unusual; but then it must be remembered that the career of the measure has been somewhat peculiar. In the course of the discussion in Committee, a most extraordinary number of Amendments was moved—something like 200. In addition provisions have been taken out, put in again, and again removed, so that the complexion of the measure has continually varied. Under these circumstances, it has been a little puzzling to follow the various forms of the Bill in its progress through this House, and to understand very clearly what it is intended to do, and how far it is likely to carry out its object. I want particularly to refer to those portions of the Bill which give to County Courts an equity jurisdiction and jurisdiction in bankruptcy. As to the clause which deals with the equitable jurisdiction of County Courts, I think it is, on the whole, tolerably satisfactory. The County Court will be able to spread the payment of instalments of rent over a great length of time, so that they will be very small and easy to pay; and though I do not think it is a perfect way of relieving tenants, there can be no question that the clause will be of considerable service to holders in difficulty through no fault of their own. But I object to certain other provisions relating to the same point. I object to the proposal that if a landlord offers a reasonable arrangement, and the tenant refuses to accept it, no stay of execution is to be granted; whereas if the tenant makes a reasonable offer, which the landlord declines, no penalty falls upon the latter. That appears likely to inflict considerable injustice upon tenants. When we make no provision for the case in which the proprietor refuses to accept a proposal made by the tenant, and considered reasonable by the Court, we are not acting squarely between the two parties. This is an important matter at a time like the present. Considering the state of affairs in Ireland, the peculiar and difficult position of the landlords and the hostility shown to them by a section of the people, it is most unwise to enact anything capable of being used as a text upon which everlasting sermons may be preached against them. I object further to the sub-section which deprives the Courts of any discretionary power, in cases where the tenants have failed to pay their rent at the very day and hour fixed by the Courts. This is contrary to justice and humanity, and it is a very great mistake, especially on the part of your Lordships who are interested in the land of Ireland. It is in consequence of a great many Amendments introduced into the Bill in this House that the power of the Court has been limited, and that hard-and-fast lines have been laid down respecting it. Having, myself, a strong opinion of the general humanity with which Irish landlords treat their tenants, and the great amount of misconception that exists on that subject, I believe it would be to their advantage if, as far as possible, their dealings with their tenants were investigated and substantiated by the decisions of a Court of Law. In this case a great deal of hardship will undoubtedly arise, owing to the fact, as I have said, that it may be impossible to pay the instalment on the precise day ordered, and yet the Court will have no power to exercise any discretion whatever.

THE LORD PRIVY SEAL (Earl CADOGAN) was understood to point out

that the Court would have discretionary power.

THE EARL OF DUNRAVEN: Yes; but the point I raise affects not merely the first payment, but all the subsequent instalments, even if they extend over a period of 20 years; and if on any one of those subsequent occasions the tenant is a day behind with his instalment, the Court will have no discretionary power to allow it to be paid the next day, or the next week, or month, as the case may be. Clause 21 has been very much altered since the Bill was introduced. At first, the Court had no power whatever of revising rents; but it had the same power as now exists under Clause 20 of spreading the instalments over any length of time that it thinks fit. Therefore in an indirect, roundabout and not very satisfactory manner the tenant obtained relief. Then the period of bankruptcy was limited to 18 months, and, as a set off against that limitation, the Government introduced into this clause words giving the Court power to revise rents for a statutory term. Let us consider how the case stands now. The clause is intended to deal with tenants who have become bankrupt through no fault of their own. It is obvious that such cases may arise, either through unavoidable misfortune, such as loss of stock or failure of crops, or it may be because the tenant is holding his land at a rent which has become excessive. In the first case, it is improbable that a man will be overtaken again in 18 months by the same kind of misfortune. Therefore, if he is bankrupt within that time, the Bill will give him substantial relief. But then such a case as the loss of stock is the very case in which it is most difficult to find out whether the misfortune has arisen through the man's own fault or not. In the other case, where the tenant could certainly not help himself, because he is sitting under a rent which has become excessive, the Court does nothing whatever to help him; because it cannot revise rents, and a composition cannot be made for a longer period than 18 months. In cases, therefore, where the rents have become excessive, if there are any such cases, the Bill, I am bound to say, gives no effective relief whatever. I would like also to point out the very injurious effect that may be expected from the necessity of a joint application by landlord and tenant for a bankruptcy order for the latter. I presume that provision was put in mainly to protect the landlords; but in the Bill as it at present stands it does not protect the landlords to the smallest degree; because it is obvious that if a tenant could fraudulently prove himself a bankrupt, he could in the same way prove his landlord unreasonable in refusing to join him in the application for bankruptcy. Therefore, the clause does not protect the landlord in the least. I do not understand the legal definition of the term "reasonable;" but what will happen, I think, is this. If a tenant comes and asks me to join him in a bankruptcy petition, I may feel morally certain that he is not bankrupt and refuse. Then he goes into Court, and makes out that I was unreasonable. I may have acted in a *bonâ fide* manner; but if my contention is disproved I leave the Court with the stigma upon me of having unreasonably refused my tenant when he was bankrupt. Not only that, but if I am proved to be unreasonable, I am put under tremendous penalties and the Court is empowered to order a composition without making the tenant bankrupt at all—a proceeding which appears to me very extraordinary. That is to say, that upon it being shown that the landlord was mistaken, the Court can practically wipe out the tenant's arrears without making him a bankrupt. Therefore, the relief is given to the tenant at the expense solely of the landlord, instead of at the expense of all the creditors. I can hardly think that the effect of this clause has been perfectly appreciated by Her Majesty's Government. Another evil effect of this portion of the Bill is that it will obviously offer an incentive to tenants to refuse to pay any rent whatever. Their object will be to get their instalments made as small and spread over as long a time as possible. There is nothing whatever said as to what is to happen if the tenant refuses to pay his rent, and obviously what he will do is to go on paying his instalments and offer no rent whatever until another set of arrears accumulate, when all the landlord can do is to ask for another decree. Judging by what has occurred in the House before, I do not think anything would be gained by trying to remedy evils which I consider of the greatest magnitude; but I should like to have from the Government some

indication as to whether they think this Bill is to be permanent, and what they intend it to do. If it is looked upon as satisfying to any extent the state of things set forth in the Joint Report of Lord Cowper's Commission, a great mistake is being made. It does not satisfy in the slightest degree the wants there indicated. If the Bill is intended only to prevent harsh evictions during the next few months it is tolerably satisfactory, though it was infinitely better as first introduced. I want to know whether the Government is prepared to bring in a measure dealing with dual ownership at the earliest possible date next Session. I am puzzled to know what is the real opinion of the Government on the question—whether the present Bill is intended to deal with the state of things mentioned by Lord Cowper's Commission, or only to tide over a few months, and prevent harsh evictions during that time. If they will next Session bring in a Bill dealing with dual ownership in Ireland, I shall be tolerably satisfied with the measure now before the House; but if it is intended to be permanent I shall be most dissatisfied, and shall move one or two Amendments with the object of remedying such an unsatisfactory state of things.

EARL SPENCER: My Lords, I think it my duty to make some general observations on the Bill as it now stands. It is more convenient that the general discussion should take place now rather than on the third reading, as it is possible that the Government may even yet make some Amendments on the present stage. Besides this, it is obvious that any suggestions that may now be made may be considered before the Bill reached "another place." I ventured, on the second reading, to make some criticisms upon the Bill. I advocated the second reading because I thought there were some very valuable provisions in it, and I especially alluded to the introduction of the leaseholders to the benefits of the Act of 1881. The amendment of the Purchase Clauses by the Bill also seemed to be very valuable. I criticized some parts of the Bill, and particularly that part of it which dealt with bankruptcy; and I also pointed out the omission of any clauses dealing with judicial rents, which rents, though they might have been very fair when made, have now become too heavy. I have not, in Committee, moved any Amendment, nor has any of my Friends on the Front Bench. We did not receive on this side of the House much encouragement to move Amendments, for during the discussion on the Bill we were severely reprimanded by some of our Friends on this side as to the factious nature of our remarks. Now, I altogether deny that we approached the Bill in a spirit of faction or partizanship. We endeavoured, as I think all Oppositions should, fairly and honourably to criticize the Bill, point out the defects we saw in it, and make suggestions where we thought improvements might be made. But we should not have been influenced by those criticisms of our remarks even though they came from our side; we did not think that the House generally supported them; and if it had been any use we should have put some Amendments on the Paper. We are, however, as your Lorships know, in a minority in this House, and we should not have been able to carry any Amendments which we might have thought it right to put on the Paper. Our course is justified by what took place. Some very important Amendments were proposed from this side, and there were, I think, three Divisions taken on them. They were moved by a noble and learned Friend of mine who holds a peculiar and unique position in the House with regard to Irish matters (Lord FitzGerald). He was long connected with the Irish Administration, and, in that capacity, represented the Government as a legal officer in "another place" for many years. After that, he had a wide and almost unparalleled experience as one of the Judges of the High Court of Justice in Ireland. This renders his position here singularly strong, and one which should carry great weight when he is moving any Amendment on an Irish Bill. My noble and learned Friend moved several Amendments, but your Lordships rejected them by an overwhelming majority. Now, I believe that the difficulties which surround the ownership and occupation of land in Ireland should be met, and met promptly. The noble Earl who has just sat down has asked the Government whether they intend to introduce a measure with regard to purchase which would practically abolish dual ownership. I understood that the Government did intend

to introduce some measure of that sort. I cannot discuss what that measure might be, though I can conceive that there might be very serious difficulties in carrying speedily any measure of that sort. But what I wish to point out is this — that if such a measure were immediately passed into law it would take a very long time before it could be fully carried out. It is, therefore, absolutely essential that some measure dealing with the relations between landlord and tenant should be passed to fill up the interim that must take place even if the Government passed a Land Purchase Bill. It is the importance of this subject which caused me to rise to-night and make these observations, which are framed in no hostile spirit. I desire most earnestly and sincerely that some measure may be passed which may remove the difficulties which will, I am quite sure, occur again if the points which require to be legislated upon are not dealt with. The first point which I should like to refer to is one which I also referred to on the second reading—namely, the recommendation of the Commission over which my noble Friend (Earl Cowper) presided, to the effect that the clause in the Act of 1881 which prevented the holder of a pasture farm over £50 a-year from coming under the operation of the Bill should be so amended as to remove the limitation and extend it to £100. That is a point of very considerable importance. I heard very frequently, during the last two years I was in Ireland, that there was great dissatisfaction among this large and important class of tenants who were excluded from the operation of the Bill. Owing to this provision a very large and important class in the South and West of Ireland engaged in dairy farming were excluded; and if you admit that arable farms are entitled to have judicial rents fixed, I can say that those who hold pastoral farms and whose rents are equally high ought not to be excluded from the operation of the Act. I think I have some right to ask the Government, if they are not able to give this concession, to state the reasons why they do not fall in with the recommendation of my noble Friend's Commission. Now, as to the leaseholders, I cordially welcome the power given to them of getting the benefit of the Act; but while saying this I lament extremely the form in which the clause in the present Bill is drawn. I fear that great injustice will follow from the manner in which this otherwise beneficent object has been carried out. What we say is that the moment this Bill becomes an Act every lease in Ireland is broken. What, then, becomes of the advances made on the security of these leases? There have been marriages, and settlements made, and deeds executed, on the strength of the power and advantages given by these leases. The moment this Act comes in force all these rights and advantages immediately fall; and the tenant then, instead of being a leaseholder, becomes simply a present tenant, as he would have been under the Act of 1881. This is a grave injustice. I regret extremely that the Government were unable to accept the very reasonable proposal, as we thought it, which was made on this subject by my noble and learned Friend. Since the second reading I have had some correspondence with a gentleman in Ireland. He pointed out that the Leasehold Clauses may bring an enormous number of tenants to the Land Court for revision of rent. It is calculated that there are some 150,000 leaseholders in Ireland. I do not suppose that all these will come into Court; it is possible that a great many agreements may be made between landlords and tenants; but, on the other hand, if the tenants consider that they will get more advantage by coming before the Commission to get their rents revised, there will be a great rush of leaseholders under the Bill, and we shall have a repetition of what took place in 1883 and 1884, when the Commissioners were overwhelmed with applications for revision of rents. My correspondent suggested that as one of the great drawbacks of the Land Act of 1881 was the enormous expense attending the applications for the fixing of judicial rents, we should try and avoid that expense in dealing with this question; and he further suggested that Griffith's valuation should be taken, and an appeal given from that to some Court. That suggestion could not be adopted without modification; but it occurred to me that provisions to be found in the Land Purchase Bill of Mr. Gladstone might be very well introduced into this Bill to deal with the enormous number of tenants who may come in under the Leasehold Clauses, in order to

avoid the enormous expense which must fall, if not upon landlords and tenants, upon the State, by the rush of tenants to have their rents revised. The Bill of last year provided that where judicial rents had been fixed, they were to be taken as a guide to the amount paid on purchase under the Bill. But there were a large number of tenants who had not applied to have their rents fixed judicially, and the question was how they were to be dealt with? We proposed that this should be done—that the judicial rents in an electoral division should be compared with Griffith's valuation; and the average difference between the judicial rents and Griffith's valuation, whether above or below Griffith's valuation, should be taken; and that, on an application for purchase in that electoral division, that should be taken instead of the judicial rent, where such rent had not been fixed. As many of the first-fixed judicial rents have now been declared to be too high, it would be necessary to correct old judicial rents, and that might easily be done by taking the judicial rents fixed within the last two years. If an automatic principle of this kind were adopted an enormous expenditure by landlords and tenants, and by the State, would be avoided, and a ready and quick way would be found to solve the difficulty without injustice to anyone. Of course, an appeal to the Commissioners should be given to either landlord or tenant. It is worth while referring to what occurred when the Land Commission was created by the Act of 1881. There were, first, 24 Assistant Commissioners, then 48, and then 51, with 17 valuers; in 1883 the number was increased to 78 and 85; and after 1884 the number gradually fell to 30, 24, and 12, and afterwards rose to 20. The cost of the Commission was £32,000 in 1881; it rose to £130,000 and £158,000; and then fell to £102,900, £63,000, and £50,000. If a large number of leaseholders apply for a judicial rent, there will be a repetition of this process; and, in addition to the financial difficulty which I have pointed out, there will be the task—the difficulty and delicacy of which I know from experience—of selecting a large number of Assistant Commissioners. I do not make this suggestion as representing any Party; it comes entirely from myself. I merely throw it out for consideration; and it may be that discussion will show that it is impossible to carry it out. Still, I think it worth while to offer the suggestion at this stage. There is an omission from the Bill which I think is grave and dangerous. I allude to the failure to deal with those tenants whose judicial rents have become too high, and whose landlords will not make any abatement upon them. Last year we had a discussion upon the subject of the fall in prices; and the noble Marquess opposite expressed a doubt whether the fall in prices had been great, and also a belief that the fall that had occurred had been anticipated by the Commissioners in the fixing of judicial rents; but he admitted that if judicial rents had been fixed too high a remedy must be found, and that remedy was to be purchase. But we have no purchase scheme before us. I feel great doubt whether a Purchase Bill will be submitted to us. But we have this difficulty to meet—that the Commission which the noble Marquess appointed reported most thoroughly upon this subject, and said it was absolutely necessary that judicial rents should, in some way, be revised. The noble Marquess may say that the Government consider they have met this point by the Equity and Bankruptcy Clauses. But they do not meet the case of the thrifty, honest, and industrious tenant with a high rent, who is struggling to pay it, and who does not wish to become a bankrupt. He is left in a position which is flagrantly unfair and unjust. It is essential that this matter should be met properly. We have heard a great deal about the Plan of Campaign, and I am not going to speak of it now. I disapprove of the Plan of Campaign; but the case must be met that brought about the Plan of Campaign; and the only way to meet it is by law to deal with judicial rents which have become too high when landlords refuse to make abatement. If you do that by the machinery of this Bill, you will put out of court those who are advocating the Plan of Campaign. I should deeply regret if this Bill left Parliament without some effectual mode of doing that. You will not do it unless you deal with the case of the honest, thrifty, and industrious tenant struggling to pay his rent, who does not wish to become a bank-

rupt. The case of this class of tenants could not be more clearly or ably put than it was in the speech of my noble Friend the Chairman of the Commission, who spoke with all the authority of experience gained in the administration of Ireland, as well as in the Commission over which he so ably presided. The noble Earl put the case of those honest and thrifty tenants in the most forcible manner. I cannot help thinking that, if you require to deal with the subject of bankruptcy, you should do it quite independently of evictions. I dislike extremely these Bankruptcy Clauses. The Government may say—"We are not prepared to adopt the recommendation of the Royal Commission." But they take upon themselves a grave responsibility when they deliberately reject the advice of the majority of the Commissioners appointed by themselves. It is sometimes said that judicial rents cannot be altered, and that the 15 years' term cannot be broken; but the opinions of the witnesses who take that view are overruled by the overwhelming weight of the opinion of the Commissioners, after taking evidence from all parts of Ireland. The Goverment might fairly say that while they would not adopt the precise terms of the recommendation of the Commissioners, they would meet the case in some other way. But they have not done so, and, therefore, they incur a grave responsibility. The Government might have given jurisdiction to some Court—say, the Land Commission—to deal with cases in which the rent is too high, not by way of reducing the term of 15 years, but by giving remission of rent for a certain period. It may be said that the Bankruptcy Clauses will do that; they do it to a certain extent. For a limited time they stay evictions, and give remission of rent to tenants who come under them. But I want to extend that relief to thrifty and honest tenants who cannot become bankrupts. I throw out the suggestion that power may be given to the Commission to make remissions or allowances for two or three years to tenants whose rent is too high without their going through the process of bankrupcty. We may compare the situation with the position in England. I have no doubt many of your Lordships are aware of cases where rents were fixed, which were considered fair at the time, but have become unfair since, owing to the fall in prices. In meeting these cases the landlord does not necessarily alter the whole rent, but he gives a remission for two or three years, and at the end of that time the whole thing has to be reconsidered. If prices have improved, then the old rent remains. I believe that a plan like this would, to some extent, meet the present difficulty. It would give the relief desired by the Commission without taking the judicial terms, to which the Government, inconsistently, as it seems to me, with other proposals they make, so strongly object, for it would put the thrifty and honest tenant in the same position in which the Government propose to put the insolvent tenant. I throw out this suggestion for consideration. I do not know whether it will be accepted by Her Majesty's Government. There may be strong objections; but I throw it out as one means of meeting this great difficulty of landlord and tenant in Ireland. I have only a few words to say with regard to the Bankruptcy Clauses. I have already expressed very great regret that these clauses were introduced. They do give some facilities and advantages to the tenant; but whatever advantages may be given to the tenant they may be evaded by the landlord, who always has the power of evicting the tenant by the process known as that of *fieri facias*, instead of by the powers which bring the new clauses of this Bill into operation. I regret, therefore, that the moderate Amendment of my noble Friend behind me was rejected by the Government. My opinion is that if the tenant does elect to go into bankruptcy he will find himself in grave and great difficulties. He has been unable to pay his rent. He has other creditors on him. How will he be able to conduct his farm when he becomes bankrupt? He will have lost all his credit, and my opinion is that any tenant who enters this Court will only be ruined by it. I believe there will be only a few tenants who will be able to obtain their certificates, seeing that they will have to pay 10*s.* in the pound to all creditors, including the landlord. I think it will be almost impossible for the tenant to obtain his certificate. What will be the result? He will either have the tenant right sold or he will be evicted, not by the landlord, but by the Court. What will be the position of the land-

Earl Spencer

lord? He will find himself probably with the land on his hands—a not very desirable thing in Ireland. With regard to the other creditors, I believe the position is most inequitable. The landlord, under ordinary bankruptcy, has only six months' rent secured to him; under the Bill this is extended to a year. The majority of creditors decide important points in the proceedings; under the Bill the Official Assignee will have the whole power. In my opinion, these Bankruptcy Clauses damage the position of the landlord, ruin the tenant, and are unjust to all the other creditors I have some hope even yet that the Government may deal with some of the blots which exist so manifestly in the Bill, and it is in this hope that I have ventured to make these remarks.

THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, I was not aware that it was intended to have a discussion preparatory to going into this stage of the Bill. As far as I can make out, my noble Friend (the Earl of Dunraven) is not satisfied with some aspects of the Bill at present, and he is not aware what are the advantages presented by the Bill. I have to remind my noble Friend that, as has been stated more than once, the Government have regard to the complicated aspects of the Irish Land Question ever since the Land Act of 1881; but they recognize that a Bill to deal with all these matters cannot be passed at once. The Government recognize, having regard to the present position of affairs in Ireland, and the evidence taken by the Cowper Commission and some of the recommendations of that Commission, that it is desirable to deal at once with some of the more pressing questions and to bring adequate relief to the tenants. That view of the Government has been thoroughly and fairly carried out by the measure before your Lordships. It will be admitted that the position of the leaseholders is dealt with in a large spirit. There may have been differences of opinion as to the way in which the question has been approached, but as to the desire to give relief no one can question it. The question does not rest there. There is a provision dealing with the matter as to the time at which a judicial rent should commence — a measure of relief of great importance in detail. In other matters the Government have endeavoured, as far as they can, to diminish evictions which may be harsh in appearance or fact; and I believe that after the passing of this Bill it will be found that evictions in Ireland have been diminished vastly in number, and that where they have to be carried out they will be carried out under circumstances and conditions that should not expose them to any harsh criticism from any fair-minded man. I refer to the written notice substituted for the execution of ejectment. That is a step of much importance. There is another point—the position of middlemen. Since the Land Act of 1881 their position has become trying in many cases. They have to pay their head rent, and the rents of their own tenants have been reduced to such an extent that they have not enough from their tenants to pay the head rents. I do not discuss town parks. How is it the noble Earl who has just spoken has not addressed himself to this question? The noble Earl (Earl Spencer) said a good many clauses will work well, but they will be balanced by clauses which will not work well. It is said that there will be such a rush of landholders into the Court when this Bill passes that the Court will be blocked. I confess that that is not my anticipation in reference to the matter. I believe that, as a rule, the landlords have in advance reasonably and fairly met this question, and I do not think that any very large number of them will refuse, in cases where the tenants wish to have the advantage of this clause, to come to terms with them, and therefore I think that the litigation under the clause will not be of so extensive a character as the noble Earl seems to suppose. With regard to the cost of the administration of the Land Act of 1881 to which the noble Earl referred I have before now pointed out that, in my belief, if even a portion of the expenses in connection with that Act had been applied directly to the relief of the tenants in Ireland it might have worked out results far more satisfactory and harmonious than those represented by the figures quoted by the noble Earl, which were certainly significant and remarkable. At the present time the noble Earl says that the administration of the Land Act does not cost more than £50,000 or £60,000, or only about one-third of

what the amount was in 1884. We are certainly anxious to keep down the cost of the administration of the Land Act as much as possible; and since the present Government came into Office it has not increased, but has largely diminished.

EARL SPENCER: The charges were £154,000 or £158,000 in 1884 and 1885.

LORD ASHBOURNE: No doubt; but that was under the administration of the noble Earl himself, and I am happy to say that the cost is now only one-third of what it was then. The noble Earl's principal criticism this evening was addressed to the Government for not having adopted the suggestion of the majority of Earl Cowper's Commission in reference to the revision of the judicial rents. That is a matter of very great importance; it was very fully and carefully considered by Her Majesty's Government, and they arrived at the conclusion that on the whole it was not wise to unsettle the land system in Ireland more than was the case at present by entering upon such a transaction. The judicial rents were duly fixed only a few years ago under a solemn Act of Parliament, and it would be a very grave matter now wholly to recast and fix them in an entirely different way; and I am not quite satisfied that the noble Earl himself has fully realized the entire scope of his own criticisms on this part of the question. If you subject the landlord alone of all the creditors of the tenant to the revision of his claim against the tenant, surely you treat him in a wholly different way from all the other creditors; and the tenant will be taught to believe that he need never regard his obligations to the landlord in respect to rent as equally binding with his obligations to his other creditors. The position of the landlord would be penalized if he were to be put in a worse case than all the ordinary creditors. That the other creditors should be left to enforce their debt in a way which was not equally open to the landlord was not a principle which would recommend itself to the judgment of fair-minded men. With regard to the Bankruptcy Clauses of the Bill, which I understand that the noble Earl still disapproves, I can only say that they are clauses which have been closely discussed and closely examined; and if fairly looked at in their present shape they would be found to be moderate, reasonable, and strictly ancillary to the Equity Clause. It must be assumed that the tribunal will be reasonable and anxious to do what is fair and just; and the powers given to the County Court Judge are of a wide and elastic character. He will have power to stay evictions and to allow arrears of rent to be paid by instalments—a very wide power, which will enable him to give a very large measure of relief to the tenants. The Equity Clause, even if it stood alone, would be a great remedial step in the history of any land legislation. It was surely a considerable step to give any tribunal the power of saying to the landlord:—"We are bound to allow that you have made out your case and are entitled to a decree, but the law gives us a discretion to put a stay on that decree according to our view of the exigencies of the case, and, more than that, the arrears which you are morally and legally entitled to receive we are also empowered to allow to be paid by such instalments as in our discretion we think fair and right." It is reasonable that if the tenant is so poor that he cannot pay and is practically insolvent that there should be an insolvency, and then all the creditors can come in on a level and obtain their fair proportion of the assets; and in such circumstances the landlord would be bound to take a composition for the arrears. His noble and learned Friend (Lord Fitzgerald) was of opinion that if a power of compounding arrears was added to the Equity section, the Bankruptcy Clauses might be entirely dispensed with. In conclusion, if there are any other points on which any of your Lordships should require explanation, the Government will be happy to afford it.

LORD HERSCHELL: My Lords, a great part of the observations made by the noble and learned Lord had little or no reference to anything contained in the speech of my noble Friend behind me. I believe I am correct in saying that there are only two sets of the provisions of the Bill which really excite any extensive interest in Ireland—namely, those provisions which relate to the inclusion of leaseholders, and tho which have reference to excessive or unreasonable rents. There are, no doubt, in the Bill useful and modest amendments of the law to which no exception

can be taken, but this measure will be judged not by those minor matters, but by the important matters to which I have alluded. The noble and learned Lord says that this Bill if passed into law will largely stop evictions. I have no doubt that for a time after the passing of this Act evictions will diminish. That must necessarily be so, because this Bill contains provisions postponing evictions for six months. You must, therefore, allow that time to elapse before you can see whether evictions really do diminish in the sense of diminishing the number of those who will ultimately be deprived of their holdings. With regard to leaseholders, the noble and learned Lord has not even attempted to meet the point raised by the noble Earl—that whether the landlord or the tenant desire it or not they are brought under the operation of the Act and all leases in Ireland are broken up. Your object is to diminish a certain amount of discontent which exists in Ireland among leaseholders, and you accompany the provision which is to put an end to that discontent by a provision which will infallibly create a good deal of discontent and is not called for in any way by the necessities of the case. Then you materially affect the interests of third persons, neither landlords nor tenants. I hope it may even yet not be too late for the Government to consider these points. There is one matter in relation to the Leaseholders' Clause which has been alluded to in debate, and which will give rise to considerable discussion—the provision that a leaseholder should be deprived of all right to the benefits of the Act if the landlord had done improvements the unexhausted value of which was equal to four times the yearly rent. There is no reason to retain such a provision. Suppose, upon a holding the rent of which was £25, a landlord had built a house the present value of which was £100. The house might have been built many years ago, and ever since the landlord had been receiving £5 a-year additional rent in respect of it. Yet now the tenant is to be unable to obtain the benefit of the Act although the landlord had not built the house, the rent would have remained at £20, and under the Act it would be reduced to £15. Speaking in the interest of the peace and content which I know it is the desire of the Government to produce by this Bill, I think that this provision should be omitted from the Bill, for otherwise it will leave many persons who will be excluded in a state of great discontent. They will fail to see why, because 20 or 30 years ago the landlord spent £100 on the holding on which he had since been receiving £5 a-year, they are not to have the same reduction of the rent of their agricultural holdings as their neighbours. Passing to the other portions of the Bill dealing with rent and the stay of evictions, it is essential to bear in mind the evil which the Bill is intended to meet. It cannot be doubted that the Bill has been introduced in view of the evidence taken and the Report presented by the Commission presided over by my noble Friend behind me (Earl Cowper). Whatever else it left in doubt that Report made it clear that owing to the large fall in the value of produce in a great many cases—I do not say in all—judicial rents had become excessive and sometimes impossible, and where not impossible they were rents which the tenant could not pay from the land and which were an ever-growing burden to him. In introducing the Bill my noble Friend the Lord Privy Seal said that there were thrifty and industrious tenants whom the House would desire to encourage—men whose case he was anxious to see met who were holding by rents which, if not impossible, were yet a grievous and improper burden. Those were men, the noble Earl said, who were far from desirous of becoming bankrupt, and whose case he wished to see fairly and fully met. Then we have the admission of the noble Marquess opposite that there are in Ireland landlords who will be ready harshly and unreasonably to exercise their rights, and that it is necessary for Parliament to intervene by some form of shield to give a protection against these landlords. I quite agree with the noble Marquess opposite that the stronger you come to make that shield the better for every good landlord in Ireland, for it cannot be questioned that when evictions take place in Ireland, those who read about them do not or are unable to distinguish between the real merit of the different cases. The consequence is that harsh and unreasonable acts on the part of one landlord will bring discredit on many whose acts are deserving of no such censure. In

addition to these, whom I believe to be few in number, there are others, who, not from harshness or unreasonableness, but from the difficult circumstances in which they are placed, do not deal as considerately with their tenants as they otherwise would. Many estates are heavily encumbered, and the fall in rent from time to time has rendered the encumbrances an ever-increasing burden, so that the margin which was too small at first has become less or disappeared altogether. It is difficult for any man to deal considerately or with the consideration which he would desire with his tenants when he is himself being pressed. You have, therefore, not only the few harsh and unreasonable landlords, but those, perhaps not so few in number, who find it difficult to do otherwise than exercise their rights because of the pressure to which they are exposed. Her Majesty's Government should remember that this will affect, not only the Nationalists, with whom they have not much sympathy, but also those whose political opinions are precisely the reverse. Nothing can be more inexpedient, nothing can be more perilous than to drive the thrifty and industrious tenants to whom I have referred into the ranks of discontent. However much I may think the Government mistaken in the policy they are pursuing, I wish it to have the fullest possible trial; but I am satisfied that it will not have a fair trial until, in view of the falling prices, protection against evictions is given to the thrifty and industrious tenant. What does the Bill do for him? The Bill does nothing, purports to do nothing, for such a man until an ejectment is actually pending against him. Before that time there is no mode for him to obtain the intervention of the Court. The landlord must be at arm's length with him, and an ejectment must be pending before any step can be initiated. But an ejectment for non-payment of rent means costs, and therefore you do not give relief until you have added to the burdens which the tenant already cannot pay. And you do not offer this except to those who are unable to pay. The man who, by crippling himself, and by practically ruining himself can pay his rent, can get no relief under this provision. It is only when the man is ruined that you offer him relief. The very basis of this Bill is that there are harsh and unreasonable landlords who will enforce their legal rights to the utmost extremity, and yet you are about to leave untouched those legal rights which you know in many cases will be harshly and unreasonably enforced. There are two roads to the same goal; you wish to prevent the landlord from reaching that goal, and you attempt to prevent him from reaching it by blocking up one of the roads while you deliberately leave the other open. If you leave the road open to the landlord to enforce his legal rights, do not you think that he will laugh at your equitable provisions? I really think that your Lordships should take some steps that would meet the objection to this provision which I have placed before you, otherwise you will fail as regards the chief object of this measure. I wish to see this Bill made effectual, and not to see it fail because you have only done part of your work. If the proposal of the noble and learned Lord were to be carried out, the landlord would not suffer, because if the holding were sold the landlord would get his rent, and if it cannot be sold he will get the holding. Then, again, you tell the industrious and thrifty tenant that he shall get no relief under this Bill unless at the greatest risk of bankruptcy. Nothing can be more unwise, in my opinion, and more injurious to the interests of commerce and of industry than to make a light thing of bankruptcy. It is, therefore, a very dangerous thing to tell a man that if he cannot pay his rent through no fault of his own, he may get relief only upon the condition that his landlord may force him into bankruptcy. I know that it is said that the landlord has that power only in cases where the tenant unreasonably refuses to become bankrupt; but who is to judge of the unreasonableness of a tenant's refusal to become bankrupt? It must be remembered that this provision was inserted only in the third edition of the Bill. I entirely agree with the noble Lord opposite as to the provision which prevents the County Court Judge from exercising any discretion with regard to the postponement of the execution of the decree, merely because the tenant has failed to pay the instalment at the appointed hour, without any fault on his part. Take the case of a tenant whose judicial rent has been fixed on a higher

scale than he can possibly pay. I am not speaking of an imaginary person; but of a class of persons for whose special interests Her Majesty's Government thought it right to introduce a provision into this Bill. That provision may have been expunged from the Bill, but it cannot be expunged from our minds. Such a man obtains temporary relief under the provisions of the Bill; but the excessive rent continues to accumulate half-year by half-year, and the tenant is plunged deeper and deeper into debt. What will the tenant do but go again to the Court and have instalments fixed; and so, as time goes on, he will have accumulations of these instalments of an impossible rent, and the consequence will be that he will break down. That is all the relief you hold out to the industrious tenant. There is only one relief given, the relief of bankruptcy. A thrifty and industrious tenant, most averse to bankruptcy, may be driven to it because an unreasonable landlord insists upon an unreasonable rent. So long as he is a bankrupt you let him continue in his farm at a reduced rent. But the bankruptcy is over at the end of 18 months; he still remains a tenant, he still has an impossible rent, because when the bankruptcy terminates the old impossible rent revives. What relief is there for him, except in continued applications to the Court and continual petitions of bankruptcy. That is the only hope you hold out. This measure has, no doubt, undergone changes. At first it was left to the tenant, at his option, to bring the Bankruptcy Clauses into operation. Then there was the joint application and a reduction of rent. That reduction of rent has now been excluded at the instance of noble Lords sitting behind Her Majesty's Government. All the alterations made are such as to render the Bill less advantageous to the tenant. I cannot help thinking that this measure will produce great disappointment. The more deeply its provisions are considered, the more will it appear that they do not afford a satisfactory solution of what I admit to be a great and serious difficulty. I do not seek to make light of the difficulty. I admit the dangers in the various courses suggested; but I think nothing could be more unfortunate than to bring forward a measure purporting to deal with certain difficulties and dangers, and found to be utterly ineffective.

EARL COWPER: My Lords, I think it may be said of this Bill that nobody likes it and nobody likes to oppose it. We do not like to oppose it, and it is not very easy to see how we can amend it except in trifling details. Her Majesty's Government seem to have been struck with the hardship of evictions and by the impression which those evictions made upon the public, and to have felt the necessity of doing something. Now we must remember that eviction is ultimately the only means of obtaining rent. Would it not have been better, in trying to remedy the evil, to make the rents just and to leave the power of getting them alone rather than to adopt the other plan of leaving the rents as many think too high. As the Bill now stands there is no doubt the Bankruptcy Clauses afford the only means of getting the rent reduced. Without them the Bill does simply nothing as far as the tenant is concerned. As the measure was originally introduced there was power to reduce the rent to the end of the statutory term if the County Court Judge thought fit. This was a great boon. I am willing to think that it was with great reluctance and only through pressure from behind that the Government were induced to give way. As the clauses now stand they give power to reduce the rent for a short time, but only for a short time, and the tenant then goes back to the unreasonable rent. There are grave objections to the Bill; but I feel that there is nothing for us but to support the Government in carrying it through. I do not wish to see the Bill opposed, though it certainly does not carry out all the recommendations which we had a right to expect.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the noble and learned Lord (Lord Herschell) might, I think, have shown more moderation and self-restraint in dealing with the Bill, when he must have remembered that the fact of such a Bill being required at all is morally due to the hideous confusion into which the failure of his legislation has thrown the question of Irish Land. It is because he and his Friends have tried to apply an impossible system to the rela-

tions of landlords and tenants, that now at the first stress the failure of his theory is coming out, the inevitable evils which it brings upon the country are coming into sight. They are evils in some respects intolerable, and it is in the hope of diminishing their strain and of reducing the animosity sown between various classes of the population that we have introduced the measure which has been subjected to such unsparing criticism. It would have been better if all these difficulties had been foreseen by him and his Friends, and if there had not been imposed upon us the impossible task of introducing sanity into a landed policy which was absolutely insane. The gist of the noble and learned Lord's attack is that the Bill has undergone considerable or very large alterations in the course of its passage through this House. I confess that in the face of so difficult a problem we never hoped to produce a Bill which should be, in our own judgment, so perfect that we should not require very considerable guidance from those practically acquainted with the working of the Land Laws in Ireland. We invited comments, advice, Amendments. We pointed out clearly what was the one object we had in view in the production of the Bill, the objects from which we would not turn aside, and which, at all costs, we would try to obtain—namely, the preventing of the harsh and unreasonable evictions which, in a certain number of cases, were unhappily taking place. But that object being, in our judgment, sufficiently achieved, we were not only willing, but anxious, to receive the assistance we might obtain, not only from the legal knowledge, but the experience in which this House is so rich, and I think we are not justly open to reproach now that we have embodied in the clauses of the Bill the results of that advice. At first our own view—perhaps it was a view that was too theoretical—was that a large application of the principle of bankruptcy was the wisest method of dealing with the case of inability to pay. Undoubtedly, such a large application did not commend itself to this House, or to opinion out-of-doors. There was another portion of the Bill which found greater favour, and from which very much the same relief might be hoped—namely, the equitable power of staying execution, and of bringing about an accommodation between landlord and tenant. The effect of the changes which the Bill has suffered has been to restrict the action of the Bankruptcy Clauses, and to increase the action of the Suspensory Clauses of the Bill, and I believe that the objects which we have in view are very well served by that result. In spite of the taunts of noble Lords opposite, I am prepared to go further in the course of that Amendment. There is an Amendment on the Paper to-night, to be moved by the noble Lord (Lord de Vesci), the effect of which will be to remove that power of the landlord which offends the noble and learned Lord so much—that power to force his tenant into bankruptcy. I do not believe that, under the circumstances of the Bill, that power will ever be abused. Still, I do not think it is of sufficient importance to press it in the most unjust accusation of which the noble and learned Lord has made himself the mouthpiece to-night. I think it is better to remove that reproach, and to allow the power of the landlord to force the tenant into bankruptcy to be removed. Bankruptcy will then be the act of the tenant himself. I wish, in saying that, to point out that the proposal to revise rents, or to give a power to revise rents, after bankruptcy, was a part of the larger object of the Bill. But noble Lords, in their comments upon those clauses which we have withdrawn, have entirely misapprehended the effect of them. The noble and learned Lord spoke continually of the power of fixing rent at that which an industrious and thrifty tenant could pay as reducing rents. I am not at all sure that that would have been its effect. What we consider is that after bankruptcy three material changes will take place in the position of the tenant. In the first place, he will lose all the stock with which he worked his farm. In the second place, the value of his holding—the selling-price of it, would be charged with a portion of the debts; and, on the other hand, the third change is that he will be himself relieved from the pressure of the outside debts—the debts of other creditors besides the landlord—with which, up to that time, he has been hampered. In many cases, the result of such a revision of rent as is provided in that clause might

The Marquess of Salisbury

be a reduction of rent, but I entirely deny that it would be a universal reduction. It would be an alteration of rent to suit the new condition of the tenant. But with the restriction of the area of the bankruptcy, and of the operation of the Bankruptcy Clause; and, still more, in view of such a change, of which the completion will take place to-night, it was no longer advantageous or necessary, or it was certainly not necessary, to give that power to the County Court Judge. My own impression is that there was a great deal to be said on both sides, and the most important consideration is one that the noble and learned Lords opposite have entirely omitted to notice—namely, that after the experience we have had of fixing rents for a considerable term of years, it was exceedingly doubtful whether it was worth while to begin again with the same process which prevailed before, and to attempt to fix a rent to go to the end of the term when the clauses were still in operation which made that attempt a failure on the previous occasion. The whole argument of the noble and learned Lord appeared to me to be based upon some such general proposition as this—that the Irish tenant is being so privileged by nature and the Constitution that nobody ought to ask him to pay his debts or to keep his promises. The noble and learned Lord spoke of it constantly as though it were the most intolerable of evils that the man should be obliged to fulfil the contracts he had made; and he dwelt very much upon the character of the tenants who, by the operation of the Bill, would be brought within its purview. It would be intolerable, he said, to give bankruptcy relief to those who would be ruined, and not to the thrifty and industrious tenants who have still a large balance at the bank. But we do not use our Bankruptcy Laws as a kind of prize for civic virtue, and we do not use them for the purpose of distinguishing the men who are good and the men who are bad, the men who are thrifty and the men who are the reverse. We use them for the purpose of relieving the insoluble difficulties of the man who has debts and who has no longer money to pay them. That is the principle which has governed our action in England, and that is the principle which we wish to govern our actions in Ireland. The noble and learned Lord speaks of it as an intolerable wrong that a tenant should pay a rent which he contracted to pay under circumstances which have changed since his contract was made. Is that the law of contracts which we are to expect from the noble and learned Lord? Is that the principle which he is going to apply to all branches of industry in this country? It is a terrible fact in human nature that we cannot always foresee what is before us; that we are often engaged on contracts which it is inconvenient to fulfil; that we often buy things which immediately afterwards fall in value; and that the result of our pecuniary operations is, in fact, to leave us very much poorer than we were before. But it is only in the case of the Irish tenant that anybody dreams of interfering by legislation to affect the nature of the contract and relieve him of what he has contracted to pay. He may be the most thrifty man in the world; he may be the subject of the greatest sympathy and admiration; he may be the pattern of every patriotic and civic virtue; but still the whole fabric of your commercial industry must fall to pieces if you say he is to be relieved at the cost of another person of the duty of paying his debts when he possesses money with which to pay them. The noble Lord who was lately Viceroy of Ireland (Earl Spencer) spoke of the English practice, and said that an English landlord, if he found that his tenant could not pay, would remit the rent, but that there were some disgraceful Irish landlords who would not do the same thing. The gist of the noble Lord's speech was that he proposed to supply that want of good will which he attributes to the Irish landlords by a legal provision that the County Court Judge might reduce the rent in all cases if he thought it was a rent which was more than a man could pay. I have never heard a single word from the noble Lords opposite to show that they appreciate the tremendous evil which must be produced in the conduct of any industy if it should become absolutely uncertain whether a contract would be fulfilled or not. The noble Lord said circumstances had changed. Undoubtedly they have changed. They have not changed more than might have been foreseen by those who drew the Bill of 1881 or by the Judges who sat in the Courts and administered that

Bill. There has been a fall in the values of agricultural produce; but I deny that there has been in Ireland anything which men were not bound to take into account, and which might not reasonably have been foreseen as possible. If it were not that in England we have had at the same time a truly phenomenal fall in the value of wheat and barley which has affected all values to a most wonderful extent—if that had not existed, I think we would have heard very little about the fall of prices in Ireland. The Royal Commission put the fall at only 14 per cent in Ireland, and I believe that that was a high estimate. But with great dexterity the noble and learned Lord confined himself to the fall of prices. The noble Earl the late Viceroy of Ireland dwelt in solemn terms on the fearful responsibility of neglecting to carry out the recommendations of the Commission which we appointed. Is the noble Earl's conscience quite clear? Has he always himself followed the recommendations of the Commissions which he has appointed? I recollect the Commission appointed before the Land Act of 1881. That Commission certainly never recommended anything like what the Land Act has produced. I wish, at all events, that he would study the authority which he has quoted. Lord Cowper's Commission by no means confined itself to the fall of prices, or to the inability of the Irish tenants to pay their rents. Always remember that there were three other causes stated by them. There was the climatic influence, which we could not prophecy whether it would be better or worse; there was the contraction of credit; and there was the gradual deterioration of the soil under the detestable system of culture which it has received. Two of those causes will get worse. Under the circumstances through which Ireland has had to pass, with the political future that lies before her, with a Party in England that is pledged to support all that is hostile to social order and political loyalty within her borders, you may depend upon it that credit will not increase, but will continue to contract, and that that evil must get worse and worse. I say, again, when men are joining the National League instead of attending to their cultivation, when capital is leaving the country, when interference with the liberty of the tenants makes them glad to leave their farms, and vast tracts of Boycotted land are reproaching us with the results of our legislation of 1881—when all this is taking place, you must not expect that there will be growth in the fertility of the land of Ireland. On the contrary, it will go on from bad to worse. As long as the present temper of the population remains, at all events in the disturbed districts, you will find that the prairie value of which we heard so much some years ago will become more and more a mockery, and the landlords will wish that they had prairie value to depend upon. The point to which I wish to direct the attention of your Lordships is the extreme danger of adding a new element to the present instability which characterizes the engagements between man and man in Ireland. There is a great want of confidence, and on that account credit is contracted. There is a great want of capital, and on that account land is not properly cultivated. If you go on changing every year the judicial rents which you have once solemnly fixed, you must expect that those elements of want of confidence and of stability will increase, and the evils they bring with them will increase too. The noble and learned Lord did not attempt to show why this year should be different from others. Yet the noble and learned Lord has denounced us because we do not alter the rents which his own Government has fixed. How are we to know that if we comply with his demand the same process will not have to be gone through next year and the year after, and that whenever there is agitation to inspire his words and eloquence we shall not have him insisting upon further and further reductions of rent, and pressing upon us with renewed earnestness of language the atrocity and cruelty of calling upon men to fulfil the contracts they have made? Any further disturbance of the stability of contracts will involve very great responsibility on the part of those who undertake it. We have gone too far on that road already; and I do not believe we have any security that if we make another change at the bidding of the noble and learned Lord, that process will not have to be repeated indefinitely in future years. The noble and learned Lord rather reproached us with interfering to stop evictions, which, as he

justly said, were the security for rent. My reply is that we are trying to patch up a system which we know to be in itself unsound, and for which we were not responsible. The state of the case is this. In England when tenants cannot pay their rents the landlord gives them remissions. Why does he do that? We hear a great deal about good and bad landlords, but I very greatly doubt whether the conduct of any large class is guided in the long run by anything but a liberal appreciation of their own interests. My belief is that English landlords make remissions because it is their own interest to do so. The English landlord knows he could not make so much of his land if it were in his own hands, and therefore he is very glad to make every effort to retain a valuable tenant. The vital difference between English and Irish landlords is this—that owing to your meddling and tinkering with the law of contract it is the interest of the Irish landlord to get rid of his tenant, who has been presented with a burdensome obligation on the land which can only be got rid of by getting rid of the tenant. It is to the credit of the Irish landlord that, in the present state of the country, they have resisted the strong temptation to resort to eviction, to which, in many instances, their interests would lead them. It is this alteration of the motives which animate landlord and tenant which, in my judgment, forces upon us the necessity for some legislation of this kind. It is owing to no superhuman weakness on the part of the Irish landlord that you have adopted a system of State management, instead of giving free play to the market; and you must accept all the results which that deviation from sound principles will lead you to. One result is to check the ordinary play of human motives in conserving the interests and peace of the country. I do not imagine that this Bill alone will restore that peace to society in Ireland which is so greatly needed. We hope much for the Bill which will soon be at your Lordships' door, but I think there must be a very considerable moderation and temperance, and more than is ordinarily required, in the use of the landlord's rights with respect to his tenants. When we consider the state which Irish feeling has reached, the history that is behind it, the causes of bitterness that survive among the people, and the various circumstances which make their lot harder than that of the people in this country, I think we must look to the holders of property in Ireland, from high and patriotic motives, to exercise great self-restraint in the use of their power—not the self-restraint that will abolish rent, but at all events such restraint as will prevent those inflammatory scenes which give no time for passion to calm or bitter memories to be forgotten. I am sorry that the debate has taken so wide a range. We have brought forward this Bill, not assuredly with gaiety of heart; it accords little with the principles of which we approve; it has no place in the economical system we support; it is forced upon us by a false position which we did not create; and we have been anxious to obtain assistance and counsel from inquiry in the hope that it might be a contribution to the accomplishment of that great work, the regeneration of the rural community in Ireland, which events have placed upon us. We do not look upon it as a final measure, we do not look upon it as presenting a mould in which the rural society of Ireland is ultimately to be cast. We know that there are far more important and far-reaching measures lying behind before prosperity can be permanently restored; but for the reasons we have given we believe it will be an element in restoring peace and bringing back good will, and as such we heartily recommend it to the acceptance of the House.

THE EARL OF KIMBERLEY: My Lords, if the speech of my noble and learned Friend is to be denounced as a partizan speech, I do not see how criticism of measures is to be carried on in this House. We are reproached with partizan bitterness because while we say there are some things in the Bill of which we approved, there are others which we think will not attain the objects aimed at or carry out the policy of the Government. On this side we have shown a real desire to support a portion of the professed policy of the Government. We have done so because we are well aware of the extreme difficulties of the situation in Ireland. Yet the noble Marquess speaks of the insane policy of the Act of 1881. For my part, I think a policy of strict adherence to contract in Ireland would have deserved

more strictly the description of an insane policy; so insane a policy that I feel absolutely convinced it could not have been persevered in by any Government. What would have befallen Ireland if the Act of 1881 had not been passed? Does the noble Marquess suppose that without that Act there would have been reductions of 20 per cent in the rentals? If contracts had been strictly enforced, what would have been the position of the country?

THE EARL OF WEMYSS: It could not have been worse.

THE EARL OF KIMBERLEY: However, that is a subject by itself; and the question now before us is not what might have been the advantages or the disadvantages of the Act of 1881, but what are the advantages of the Bill of Her Majesty's Government. I suppose no Bill was ever presented to Parliament which shows a more total disregard than this Bill which we now have before us for the stability of contract. Why, first of all—I do not complain of it; I think it was necessary; we were afraid to take so strong a step in 1881—it breaks leases. Such a violation of contract never took place before. But so persuaded are the Government of the necessity of it that they are determined that not only shall these leases be subject to be broken, but that every one of them—I believe there are 150,000 of them — shall be the moment the Bill becomes law actually void. And, more than that, the noble and learned Lord (Lord Ashbourne) insists especially on the immense importance of seeing that every creditor is brought under the scope of this Bill. Can anything strike a more dangerous blow at such credit as may be left in Ireland than such a proposal as that. I do not know how credit can be maintained in Ireland if this becomes law. Suppose a tenant finds himself unable to pay the landlord's rent; he is to be kept on, but in order to keep him on all the creditors will be compelled to accept so much in the pound. I should like to ask what will be the position of that man when he comes back to his farm? The noble Marquess seems to have a very strong opinion indeed as to the danger of attending to the recommendations of his own Commission for the revision of rents.

THE MARQUESS OF SALISBURY: Nothing was said about the revision of rents—it was to be an automatic change of rents.

THE EARL OF KIMBERLEY: I shall not insist on the word. The noble Marquess comments on the danger of meeting the difficulty which has arisen from the change of circumstances since the judicial rents were fixed; but the Commission recommended such a new mode of fixing rents which would insure their reduction at the present time. No one who reads the Report can help seeing that it turns on this—that rents in many cases now are too high. The noble Marquess says the Commissioners, in fixing judicial rents, ought to have foreseen the possibility of the fall in prices; but even so late as last autumn the noble Marquess was not prepared to admit that there was a considerable fall in prices. It was denied in the debates on Mr. Parnell's Bill. It was impossible three years ago to foresee the condition of prices now; indeed I will undertake to say that there is no man, however skilled in agricultural affairs, who will venture to predict what the prices will be some two or three years hence, or the rent which can be maintained. This is very unfortunate, no doubt; it is unfortunate that it should occur at a time when a great change was taking place in the Land Laws of Ireland. But you must take the facts as you find them. These rents which were fixed some years ago are now found to be too high. The noble Marquess has spoken of instability. But what is more likely to conduce to it than the Bankruptcy Clauses of this Bill, where the tenant may be made a bankrupt, and come back and be made a bankrupt over and over again. I do not wish to meet the Bill in any partizan spirit. I can assure the Government that that is not my desire. I am not like my noble Friend behind me, who is so afraid of the weakness of the position of the Government that although he dislikes some part of the Bill he will not press his objections to it. We thought the Government was very strong. I am certain that the Bankruptcy Clauses do not meet with approbation in any quarter. Those who in Ireland are supporters of the Government do not like them. My noble Friend says he cannot see anything better, but I think the Government might give us something better. The noble Marquess says—"A

man makes a contract, why does he not fulfil it?" The whole history of Ireland shows you that you cannot apply this system of contract to these small tenants. You wish that there was more security and contentment in Ireland, and yet you steadfastly decline to do that which your Commission have shown you to be absolutely necessary. I hope the Bankruptcy Clauses will not be extensively applied. They will introduce fresh confusion, fresh hardship for landlords, ruin to many creditors, no satisfaction to the tenants, and will, I believe, further disturb the peace and tranquillity of Ireland. Finding you have only made matters worse you will, under circumstances far less favourable, be compelled to come back to Parliament and to provide some system for the revision of rents, which it is now plainly proved are too high, looking to prices all over the world, and which it will be impossible hereafter to maintain. I have spoken thus strongly, not through hostility to the Bill—I have no hostility to it, but merely to that part of it which is quite inadequate to the circumstances of the case.

THE EARL OF NORTHBROOK said, he desired to pay his humble tribute of praise to the speech made that night by his noble Friend the late Viceroy of Ireland (Earl Spencer). In that speech his noble Friend had dealt with that Bill with an entire absence of Party spirit, and with a sincere desire to aid the Government in settling the question, and he was sure that the observations of his noble Friend would receive from the Government the attention which they deserved. He was glad to hear from his noble Friend that evening in such distinct terms a condemnation of the Plan of Campaign—a condemnation which had not yet been so distinctly expressed by Mr. Gladstone and some other of his Colleagues. In the most indignant part of the eloquent speech of the late Lord Chancellor (Lord Herschell) he complained of the intolerable grievance that a tenant under a harsh landlord who demanded equity before a County Court Judge should be forced into bankruptcy by a harsh landlord, and he said that all the Amendments proposed in the Bill were in favour of the landlord and against the tenant. If the noble and learned Lord had looked at the Paper of Amendments, he would have found one standing in the name of an Irish landlord which proposed to take away the power of a landlord to make his tenant a bankrupt, and he might well have waited till it came under discussion, and he saw whether or not it would be accepted by the Government. With regard to the inclusion of leaseholders under the Land Act of 1881, he might remark that the Government had not carried out the spirit of the Bill in the manner he had hoped they would do by not accepting the Amendment of his noble Friend behind him in the first clause, by which it would be made quite certain that while the leaseholders were put under the Land Act of 1881, advantage would not be taken by the landlords to break beneficial leases. But he thought they must all recognize that the Government had made an honest attempt to deal with the main causes of dissatisfaction and trouble now connected with the Land Question in Ireland. He did not think that up to the present time any such practical attempt had been made to deal with those difficulties as was made by that Bill. It was believed by some who were thoroughly acquainted with the condition of the tenants of land in Ireland that some alteration of the law of bankruptcy as affecting them was desirable, based on the principle that the landlord should give up any preferential claim over other creditors; and he thought that such legislation might be introduced with great advantage both to landlords and to tenants; but it was to him a matter of considerable doubt whether it was desirable to mix up bankruptcy legislation with this Bill. The Bankruptcy Clauses of this Bill would, he thought, be found exceedingly difficult to work, and it would be better that bankruptcy should be dealt with in a separate Bill, and quite apart from the avowedly temporary conditions and objects of the measure now before their Lordships. The Equity Clause of the Bill as it now stood gave very limited power to the County Court Judge. It had been somewhat strengthened in Committee, but even now it only enabled the County Court Judge, unless the parties were agreed, to stay the execution for such time as the Court deemed reasonable, and to order the arrears to be paid by such instalments as it might appoint. He thought it would be well to extend that power somewhat further, and

to enable the County Court Judge to make some adjustment of the amount to be paid for rent and arrears and to spread it over a certain limited time. If some such addition were made to the clause there would be a temporary remedy in any case in which a harsh landlord attempted to exercise his rights of ejectment unjustly; and he believed that the provision of such a remedy was the real object of the Government in introducing that part of the Bill. With respect to the revision of judicial rents, he thought they ought not to be carried away by a year or two of very low prices, and that, the view of the Government being that a temporary remedy should be applied, they were wise in not including in the Bill as it now stood a general revision of judicial rents. His noble Friend the late Viceroy of Ireland had made some valuable suggestions upon the subject, and he (Lord Northbrook) thought that if any immediate action was required it would probably be best accomplished by some such a temporary revision as his noble Friend suggested. The question would become one of greater importance than before when the leaseholders were brought within the Act of 1881. The cost of the Land Commission had been mentioned. That touched one of the most difficult matters of administration ever brought under any Government. The only administrators who had any experience of the revision of rents on a large scale were those who were connected with the Government of India. They had over a great portion of India to assess the value of land throughout large districts, and to see what the rent should be in order to decide what proportion of it should be taken by the State. In India for carrying that out they had most elaborate departments and machinery for making assessments. In Ireland they had attempted to do the same business that was done in India, but without any of the machinery they possessed for the purpose in India. They attempted to carry out the same system of valuation in Ireland, but without the really qualified men who existed in India. He wished to draw the serious attention of the Government to the absolute necessity of strengthening not only the Courts of first instance—the Sub-Commissioners' Courts—which had in the first place to decide upon judicial rents, but also the Court of Appeal—the Land Commission. He trusted that Her Majesty's Government would favourably consider any Amendment which might be put upon the Paper by noble Lords connected with Ireland providing that men with a knowledge of the value of land, and with some training at this difficult work, should be placed in a position to decide appeals. He would only observe, in conclusion, that he had carefully abstained from saying a single word which could add anything of a Party character to the remarks made from that side of the House.

LORD FITZGERALD said, that in his opinion the time had now arrived when the debate might close and the House proceed to Business. He did not intend on the present occasion to say more with regard to the Bill than to repeat that he regarded it as an honest, fair, and upright attempt on the part of Her Majesty's Government to give them some relief in their most pressing necessities. He made that observation now with an enlightened experience, while he must, at the same time, say there were many things in the Bill to which he was totally opposed. He should reserve his criticism until the third reading, when the Bill would be seen in its complete form.

Motion *agreed to.*

Amendments *reported* accordingly.

Clause 1 (Leaseholders).

THE EARL OF MILLTOWN moved an Amendment to amend the clause, by substituting words that would include in the operation of its provisions all leases where the rent reserved did exceed Griffith's valuation of the land apart from the buildings thereon. Griffith's valuation was directed to be fixed 25 per cent below the letting value of the land, and was fixed upon prices which were 50 per cent lower than those upon which the judicial rents were fixed. This limit was agreed to, after much consideration, by the Commission, and they were of opinion that it would meet all cases of real hardship. They were obliged to adopt some limit if both parties were to have the right of getting a fair rent fixed wherein great injustice might be done. He earnestly trusted that the Government would not limit the operation of the Bill to the leases which expired 60 years after 1881. There was no reason or sense in such a limitation,

and it would cause great discontent among those whose leases, although fixed on as high or higher rents, happened to expire a few years later than that of his neighbours.

LORD ASHBOURNE said, he preferred the clause as it stood. The Government had proceeded, as far as possible, on the lines of the Act of 1881; and, for that reason, they thought it wisest to restrict the application of the clause to the limit laid down in that Act—namely, those leases which had then 60 years to run. Besides, Griffith's valuation varied so much throughout Ireland, that it would be impossible to establish it as a standard in this case.

LORD FITZGERALD said, he might point out that in the event of leases in which the rent fixed was low being broken the landlord would have the power of forcing his tenant into the Land Court with the view of having a fair rent fixed. In that case the hard-working and thrifty tenants of the North of Ireland, who would not be relieved by this Bill, might well be discontented with their Lordships' method of legislation.

LORD HERSCHELL said, he had not dealt with the Bill in a partizan spirit; but he felt that as it stood the measure would give rise to a great deal of dissatisfaction. He supported the view of the noble and learned Lord who had just spoken, but he could not support the Amendment, because, though in a great many cases it might do very well to take Griffith's valuation, in many other cases it would not do, as Griffith's valuation was not uniform, and its operation might be extremely hard. He thought it would be better to allow the lessee himself to make application to become a present tenant, and get rid of his lease. It would not be right to deprive him at the same time of his lease and of all the advantages of being a present tenant.

THE LORD PRIVY SEAL (Earl CADOGAN) said, he had not brought any charge of partizanship against the noble and learned Lord in dealing with the matters contained in the Bill. He readily acknowledged the assistance the noble and learned Lord had given him in several clauses. The clause in the Bill was founded on the principle of accelerating the termination of those leases which Mr. Gladstone in 1881 excepted from the Act of that year, and removing an inequality which at present existed. He could not accept the Amendment.

Amendment *negatived.*

Clause 3 (Consolidation of proceedings in ejectment, and application for fair rent).

On the Motion of The Earl of KILMOREY, Amendment made, by adding the following words to the Clause:—

"Provided, that every order made under the section fixing a fair rent shall be subject to the like appeal as if it had been made in an originating notice under the Land Law Act of 1881."

Clause 4 (Substitution of a written notice for the execution of an ejectment).

On the Motion of The Earl CADOGAN, Amendment made, by adding the following words to Sub-section (1):—

"If no person is in possession the notice may be posted in the prescribed manner, and upon such service or posting, the tenancy in the holding shall be determined exactly as though a writ of possession under the judgment had been duly executed."

THE EARL OF LEITRIM said, he proposed, after Clause 4, to insert a new clause dealing with perpetuity leases and variable rents. If the Government were in earnest about evictions, he held they were bound to support the proposal which he made. He complained of the partizanship exhibited by the Lord Chancellor of Ireland (Lord Ashbourne) in respect to the Trinity College, Dublin, cases, and contended that their Lordships were entitled to treat with some suspicion a Bill which had been drafted by that noble and learned Lord, formerly the Representative of Dublin University, who went out of his way to exempt the valuable rents of those perpetuity leases from the Bill. The excuse on behalf of the authorities of Trinity College, Dublin, was that they exercised a fiduciary trust, and that in the exercise of it they must hold on to the letter of the Act of Parliament; and they justified themselves in that course by the encouragement which they had hitherto received from the present Lord Chancellor of Ireland. But in their hearts as individuals they knew that there was injustice in that course — injustice which Parliament ought to deal with. That conviction must, he thought, exist in that noble

and learned Lord's conscience, and, if so, his sins would surely find him out. He hoped that their Lordships would not consider that clause to be prejudiced by the fact that he had a personal interest in the matter. On a previous occasion, when a noble and learned Lord opposite moved that leaseholders should not be included in the Act without their consent, he spoke in favour of that Motion and voted for it, although he was voting against his own interest. He was not, therefore, open to the accusation that he merely voted for his own interest, and on that point he said *The Times* had been misled. The noble Earl concluded by moving the clause which stood in his name.

Moved, in page 4, after Clause 4, to insert the following Clause:—

(Perpetuity leases. Variable rents.)

"This Act shall apply to all leases and grants of land in perpetuity made to any person previous to the passing hereof, and under which, or under the provisions of any Act of Parliament by virtue of which the same was made, the grantor or the grantee is entitled from time to time, and at the expiration of certain periods of time, to require the variation and revision of the variable rent payable under such leases or grants; and in every such case the following provisions shall be in force and have effect with respect to the variation and revision of such variable rent, and shall supersede and be in substitution for all and every the provisions in that behalf contained in such leases or grants and in any Act of Parliament with reference thereto:

"(*a.*) The grantor or grantee shall be entitled six months before the expiration of any prescribed period to require a revision to such variable rent, and to apply to the court to fix the same, and in such case the party desiring the revision shall serve a revision notice upon the other party;

"(*b.*) In every case where, before the passing of this Act, any revision of such variable rent has taken place in pursuance of the leases or grants, or of any Act of Parliament with reference thereto, the grantor or grantee may at any time within the prescribed period serve a revision notice upon the grantee or grantor, as the case may be, and in such case the prescribed period then current shall be deemed to have expired at the gale day next after the end of six months from the service of such notice;

"(*c.*) Whenever the grantor or grantee has served a revision notice, and the parties agree within three months after service of such notice as to what shall be the amount of variable rent to be payable during the prescribed period next following, they may fix the amount of the variable rent to be payable during such prescribed period;

"(*d.*) Whenever the grantor or grantee has served a revision notice, and the parties do not within three months after the service of such notice agree as to what shall be the amount of the variable rent to be payable until the variation and revision of such variable rent next following, then and in every such case the amount of the variable rent to be payable until the variation and revision of such variable rent shall be fixed by the court in accordance with the provisions contained in this Act;

"(*e.*) In all cases where one or more under grants in perpetuity have been made of any land, the service of a revision notice shall have the effect of also bringing before the court the interests of the under grantors and grantees in perpetuity, and, if any variation of the variable rent should be made, the variation shall simultaneously apply to and affect the variable rent of all such grantors and grantees according to their respective interests under their grants or under any Act of Parliament having reference to or regulating the same;

"(*f.*) Before fixing the variable rent of any such lands the court shall take evidence as to the then letting value of such lands, and such value is herein-after referred to as 'the present letting value,' and shall take evidence as to the letting value of such lands at or about the time when the grant was made, and such letting value is herein-after referred to as 'the former letting value,' and shall preserve the same proportion between the present letting value and the variable rent to be paid by the grantee until the variation and revision of such variable rent next following, as existed between the former letting value and the variable rent payable by the grantee immediately after the making of the grant: Provided always, that the grantor shall not be awarded any increase of variable rent by reason of any increase in the value of such land, which is due to any buildings or improvements, except in so far as the grantor has contributed to the same. The variable rent fixed by the court under this Act shall be the variable rent payable under the leases or grants until the same shall be again varied and revised;

"(*g.*) In this section the words following shall have the meanings respectively attached to them—namely, 'person' includes corporation, whether aggregate or sole; 'variable rent' means a rent subject to variation and revision; 'prescribed period' means the period at the expiration of which a variation and revision of the variable rent, payable in respect of any lands leased or granted in perpetuity, may be required, in pursuance of any lease or grant of the same, or of any Act of Parliament, or this Act; 'revision notice' means a notice in

The Earl of Leitrim

writing signed by the person giving such notice, and requiring a variation and revision of any variable rent; 'grantor' means the person to whom such rent is payable; 'grantee' means the person by whom such rent is payable."—(*The Earl of Limerick.*)

LORD ASHBOURNE said, it was true that he had a very deep affection and a very deep gratitude for Trinity College, because he was educated there and represented it in "another place;" but he would pass over the personal suggestions of the noble Lord who had just sat down, as he did not think that on consideration he would renew them. Since this Bill had been under discussion he had listened to the noble Earl with ever-increasing amazement. The serious suggestions and statements made by the noble Earl came from one who was deeply interested personally in the topic under discussion. No matter how anxious a man was to present his own case temperately and fairly, it was obviously and in every case far better that it should be brought before any tribunal by some person unconnected by personal interest with the question at issue. With regard to the clause proposed by the noble Earl, it was not germane to the Bill now before the House. The noble Earl was not an occupying tenant; and his position was that of a middle man. His rent was subject to periodical revision, certain commodities being the basis of assessment. He was, therefore, entirely outside the purview of the Bill. With respect to Trinity College, he had said before that he should be glad that some new arrangement might be come to between the College and its tenants, and that a private Bill might be introduced for that purpose. There was no desire on the part of any person connected with it to deal otherwise than properly and fairly with all its tenants. The present Amendment was altogether outside the purview of the Bill; but he was sure the noble Earl would not, on consideration, arrive at a conclusion that he was met, as he seemed to think, in a spirit of aggressive hostility either by himself or by the University of Dublin.

LORD VENTRY said, that, although not a College tenant himself, he had several neighbours in Kerry who were, and he knew they had suffered a great deal of hardship. While not casting any reflection on the College Authorities, it was, nevertheless, a fact that while rents had been coming down all over Ireland, these particular rents had recently been increased under Act of Parliament. Some gentlemen, owing to the high rent they had to pay to Trinity College, were now obliged, much against their will, to take steps to oust tenants who held middle interests under them. Whether this subject was considered germane to the Bill or not, it was one which, on this or on some future occasion, ought to be considered with a view to some relief being afforded.

LORD HERSCHELL said, he repudiated the insinuation that the Lord Chancellor of Ireland had a personal interest in the matter, although he admitted that there was a grievance connected with it that ought to be remedied. Still, he thought that it would be wiser for both Parties to agree among themselves upon some mode of effecting a revision of the rents rather than to introduce into this Bill a clause that was not germane to it.

On Question? Their Lordships *divided:*—Contents 9; Not-Contents 47: Majority 38.

Amendment *disagreed to.*

Clause 5 (Power of surrender by middlemen).

THE EARL OF MILLTOWN moved to amend the clause by limiting the right of a middleman to surrender his holding to such cases as those in which the holding was held under a lease granted before the passing of the Act of 1881, and also to enable him to surrender without having to go through the form of having the rents of the sub-tenants lowered by the Courts and putting all parties to useless expense. He would, of course, have no interest in defending these cases, and the head landlord would suffer in consequence.

EARL CADOGAN said, he could not agree to the Amendment, because, according to the whole principle of the Bill, the rent must be fixed by the Court under the Act of 1881.

Amendment *negatived.*

On the Motion of The Earl CADOGAN, the following Amendment made:—In page 5, line 41, add at the end of the Clause—

"In this section the expression 'holding' includes land held under a fee farm grant, and the expression 'rent' includes the rent payable thereunder."

LORD CLONCURRY moved, after Clause 5, to insert a clause enabling a tenant to surrender a holding held under a contract made since the passing of the Act of 1870. His clause would give relief to the only class of tenants who had received no relief—the most industrious men in Ireland, men in the midland counties, who had taken large tracts of land, and were now paying a rent far in excess of any possible profit they could make.

EARL CADOGAN said, that the proposal referred to property not dealt with by the Act of 1881. He could not accept the clause.

Amendment (by leave of the House) *withdrawn.*

On the Motion of The LORD MACNAGHTEN, Clause 6 was struck out, and the following Clause inserted :—

"A holding shall not be deemed to constitute a town park though within the definition of the expression 'town park' in section 58 of the Land Law (Ireland) Act, 1881, if it is let and used as an ordinary agricultural farm, and may in the opinion of the Court be included in the operation of the last mentioned Act without substantially interfering with the improvement or development of the city or town to which it belongs or the accommodation of the inhabitants thereof. A town park shall not cease to be within the exemption contained in section 58 of the Land Law (Ireland) Act, 1881, by reason only of the occupier ceasing to live in the city or town to which it belongs, or in the suburbs thereof, or by reason only of such town park devolving upon or becoming vested in a person not living in such city or town or in the suburbs thereof."

Clause 7 (Investment of guarantee deposit, 48 & 49 Vict. c. 73).

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The MARQUESS of SALISBURY) said, that before they came to the Purchase Clauses he hoped he might be allowed to refer to the delay in legislation that had occurred in "another place." That delay had been overcome. In view, however, of the manner in which Irish business had been discussed, the Government did not wish to place before the other House at this time of the year more business than was absolutely necessary. These Purchase Clauses and the machinery which they established would, no doubt, do a great deal of good if passed, but they would furnish a great deal of material for discussion. The Government were very anxious that this Bill should become law without any extraordinary effort, and they thought it, on the whole, better that that House should not send down for the acceptance of the other House anything that was not strictly germane to the real object which they had in view. These Purchase Clauses did not belong to the question of preventing harsh evictions and of improving the mutual relations between landlord and tenant. The proposal he had to make was that Clauses from 7 to 15, which referred to the purchase of land, should be left out. Of course, noble Lords were well aware that this was a subject which in its large aspect must occupy the attention of Parliament at a very early date, and the Government were pledged to deal with it. Owing, however, to Parliamentary circumstances, the Government were distinctly of opinion that it would be wiser not to put the clauses in the present Bill.

EARL SPENCER said, he extremely regretted that the noble Marquess proposed to withdraw the Purchase Clauses. The noble Marquess based his contention upon the supposition that these clauses might occupy a great deal of time in the other House. He was not able to say what might take place in the other House; but, as far as he could learn, there was hardly any opposition to the clauses, which were rather welcomed as great improvements to the working of the Land Purchase Act. He, therefore, exceedingly regretted his intention, because they did not know when the Land Purchase Bill would be introduced. It seemed to him most important that the Purchase Clauses should be expedited in every possible way. If the noble Marquess wished to avoid discussion, why not wait until the Bill reached the other House, when if he found protracted discussion and opposition, then would be the time to withdraw these clauses. It would be a great misfortune if these clauses, which were of great value, and were received with warm approval on all sides, should be withdrawn.

LORD CASTLETOWN said, he would appeal to the noble Marquess to reconsider his proposal. He believed there would be very little discussion of these clauses in the other House.

EARL CADOGAN said, that the noble Marquess had merely submitted the question to the House as to whether

these Purchase Clauses should be proceeded with, and had given what, in his opinion, was a good reason why they should be omitted from the present Bill; but, inasmuch as it appeared to be the desire of their Lordships that these clauses should be kept in the Bill and proceeded with, his noble Friend authorized him to say that he would certainly conform to the wishes of the House. He took note of the statement made by the noble Earl—that the clauses would not provoke a lengthy discussion in the other House.

EARL SPENCER: It is only my opinion. I have no authority to pledge anyone in the other House.

EARL CADOGAN said, he did not wish to pin the noble Earl to the statement; but, coming from him, they were bound to notice it.

Clause 13 (Charging order for securing repayment of an advance) *struck out.*

On the Motion of The Earl CADOGAN, three new Clauses inserted—the first, providing for the apportionment and redemption of annuities and charges; the second, dealing with orders for repayment of advances; and the third, giving priority of charge for the advances.

Moved, in page 9, after Clause 15, to insert the following Clause:—

"(1.) Every conveyance and vesting order executed or made under or pursuant to the provisions of the Land Law (Ireland) Acts shall be recorded by the Land Commission in the manner provided by the Record of Title (Ireland) Act, 1865, and for this purpose the Land Commission shall possess the powers conferred by the last-mentioned Act upon the Landed Estates Court. All estates so placed on the Record of Title shall thereupon become 'recorded estates' as defined by the said Act, and shall be subject to the provisions thereof. (2.) The Land Commission may, with the consent of the Treasury, alter the existing schedule of fees under the said Act, or make a new schedule in lieu thereof, and also may make such rules and orders as they may think expedient for carrying out the purposes of this section."—(*The Lord Monteagle.*)

LORD ASHBOURNE said, he was unable to accept the proposed new clause.

On Question? Their Lordships *divided:*—Contents 38; Not-Contents 45: Majority 7.

Amendment *disagreed to.*

Clause 16 (Appeals).

THE EARL OF ARRAN moved an Amendment providing that for the purpose of constituting two divisions of the Land Commission to hear appeals the Lord Lieutenant might nominate "three persons conversant with the value of land or skilled in the management of property."

EARL SPENCER said, that he had an Amendment on the same point defining the constitution of the Court and putting Mr. Justice O'Hagan and Mr. Litton in their proper positions. He further proposed to allow the Lord Lieutenant to nominate County Court Judges to be associated with the Land Commission for the hearing of appeals. There was this difficulty in nominating persons—that there might be no appeal, and it seemed to him that the proper way would be to give power to appoint County Court Judges to form an Appeal Court.

LORD EMLY said, that men conversant with the value of land and accustomed to its management were more likely to form a just estimate of what rent ought to be paid than County Court Judges. The highest authority in that House, Lord Monck, who for two years was a Commissioner, had authorized him to express his strong opinion in favour of his noble Friend's clause. He considered Mr. Litton as eminently fitted from ability and knowledge to preside over one of the sections of the Appeal Court, and he desired to point out the importance of the two sections of the Court being presided over by men who had long worked together and thoroughly understood one another, as Mr. Justice O'Hagan and Mr. Litton did. His experience convinced him of the necessity of having experts in valuing land as Commissioners.

THE MARQUESS OF SALISBURY said, that the Irish Government had not at its disposal any skilled officers for the purpose of assessing the value of land.

Amendment (by leave of the House) *withdrawn.*

Amendment *moved*,

In page 9, line 33, after ("rehearings") to insert ("The president of one of such divisions shall be Mr. Justice O'Hagan, or his successor in office for the time being, and the president of the other such division shall be Mr. Edward Falconer Litton or his successor in office for the time being.")—(*The Earl of Arran.*)

LORD HERSCHELL said, he would suggest the amendment of the Amendment by omitting after each name the words "or his successor for the time

being," so that the Amendment should provide only that the President of one Division should be Mr. Justice O'Hagan, and the President of the other Mr. E. F. Litton.

THE EARL OF ARRAN said, he should be happy to accept the noble and learned Lord's suggestion.

Amendment *amended* accordingly.

Moved, in page 9, line 33, after ("rehearings") to insert ("The president of one of such divisions shall be Mr. Justice O'Hagan, and the president of the other division shall be Mr. Edward Falconer Litton").

LORD ASHBOURNE said, that this was a matter which had better be left to the discretion of the responsible Executive. The Government could not agree to the Amendment.

EARL SPENCER protested against leaving the selection of these important officials to the Irish Government without any guidance. In no former case was this done, as the Commissioners had all been named in the Act.

On Question? Their Lordships *divided*: —Contents 27; Not-Contents 55: Majority 28.

Amendment *disagreed to*.

On the Motion of The Earl CADOGAN, Amendments made, providing that the Members of the Divisional Courts should be "fit persons," and that each division should consist of three persons, of whom one at least should be a Member of the Land Commission.

Clause 20 (Power of Court to stay eviction).

Amendment *moved*,

In line 40, pages 12 and 13, to omit the words ("This section shall not operate to prevent a tenant from selling his tenancy, subject to the provisions of the Land Law (Ireland) Act, 1881, and of this section, at any time before the landlord is so put in possession;" in order to insert the words "and upon the execution of the judgment in ejectment or upon the expiration of a period of six months from the recovery of the judgment, whichever shall happen last, all right of redemption in the holding shall be determined.")—(*The Earl Cadogan.*)

LORD FITZGERALD said, he hoped that the noble Lord would reconsider the Amendment.

LORD ASHBOURNE supported the Amendment.

LORD FITZGERALD said, the clause as it stood was a sham, and as the noble Earl proposed to amend it, it was made the more so.

Amendment *agreed to*.

Clause 21 (Jurisdiction in bankruptcy by consent).

VISCOUNT DE VESCI moved a series of Amendments, the object of which was to give the initiation in bankruptcy proceedings to the tenant alone, instead, as provided by the Bill, of permitting the adjudication of bankruptcy of a tenant to take place at the instance of either landlord or tenant.

Amendments *agreed to*.

On the Motion of The Lord FITZGERALD, Amendment made, giving a landlord a right to refuse to join with his tenant in making the latter bankrupt if it should appear that the tenant or his predecessor in title had been adjudicated bankrupt under the Act with reference to the same holding within three years next before the date of the ejectment.

On the Motion of The Earl CADOGAN the following new Clause *inserted*:—

("A person applying to be adjudicated bankrupt, shall make a statement in writing and on oath in the prescribed form and containing the prescribed particulars relative to the descriptions of his creditors and of his debts and assets and the value of his tenancy or all his tenancies, and such other particulars as may be prescribed.")

On the Motion of The Earl of KILMOREY, the following Amendment made:—

In page 14, line 31, after ("debtor") insert ("and the landlord or other person to whom the rent is due may prove in the bankruptcy or composition for the surplus due over and above such year's rent as aforesaid.")

On the Motion of The Viscount DE VESCI, the following Amendment made:—

In page 14, line 38, after ("creditors") insert ("if a composition receives the sanction of the Court no creditor shall, save under the sanction of the Court, take or accept any money, property, or goods from or on behalf of the bankrupt.")

Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 152.)

House adjourned at One o'clock A.M., to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 1st July, 1887.

MINUTES.]—PRIVATE BILL (*by Order*)—*Second Reading*—Sheffield Corporation Water.*

PUBLIC BILLS—*Committee*—Merchandise Marks Law Consolidation and Amendment (*re-comm.*) [304]—R.P.

Committee—Report—Consolidated Fund (No. 2).*

Considered as amended—Third Reading—Crofters Holdings (Scotland) * [287], and *passed.*

PROVISIONAL ORDER BILL—*Third Reading*—Public Health (Scotland) (Cowdenbeath Water) * [289], and *passed.*

QUESTIONS.

ARMY (INDIA)—THE MEDICAL STAFF—THE DEPUTY SURGEON GENERAL—THE "HALF STAFF" ALLOWANCES.

SIR WALTER FOSTER (Derby, Ilkeston) asked the Under Secretary of State for India, Whether it is the case that an executive officer of the Medical Staff in India who officiates for less than one month as Deputy Surgeon General, in the absence of the Deputy Surgeon General on sick leave or furlough, receives no allowances for the period, although he performs the duties in addition to his other duties; whether, in such an instance, the "half staff" of the appointment reverts to the State; whether the acting officer would be held pecuniarily liable in the event of loss of stores or other mistakes; whether officers officiating on the Military (Combatant) Staff in a similar way would draw the "half staff" for broken periods; and, why the difference is made in the case of the medical officer?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State has not yet obtained the official information from India which is necessary to enable me to reply to this Question. It has been asked for.

POST OFFICE—THE LONDON POSTMEN ON JUBILEE DAY—POSTAL DELIVERIES ON BANK HOLIDAYS.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Postmaster General, Whether, seeing that there have been no complaints of inconvenience on Jubilee Day caused by the discontinuance of the evening delivery, while the London postmen were thereby enabled to enjoy a pleasant holiday, he will make similar arrangements for future Bank Holidays?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The evening delivery in London on ordinary Bank Holidays is light, and I do not anticipate that there would be much inconvenience if that delivery were suspended on Bank Holidays. I propose, at any rate, to give instructions for its suspension experimentally on Monday, August 1. This will release a large number of postmen from duty after the morning delivery; but it will be necessary to retain on duty a sufficient number to make the collection for the night mails, which could not be abolished without much inconvenience and dissatisfaction.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN — HER MAJESTY'S LETTER OF THANKS TO THE PEOPLE.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the Secretary of State for the Home Department, If, subject to the Queen's approval, he will direct Her Gracious Majesty's Letter of Thanks to her loyal subjects to be autotyped and sent to the Lord Lieutenants, Mayors, and Chairmen of Local Boards throughout the country?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I find on inquiry that there is no precedent for making public a communication from Her Majesty otherwise than by the issue of a special number of *The Gazette*, whence it is copied into the daily papers. I hope that by these means sufficient publicity has been assured, and that Lord Lieutenants, Mayors, and Chairmen of Local Boards throughout the country have become acquainted with the contents of Her Majesty's Gracious Letter.

WEST AFRICA—CAPE COAST CASTLE—MR. W. B. GRIFFITHS, DISTRICT COMMISSIONER.

MR. ATHERLEY-JONES (Durham, N.W.) asked the Secretary of State for the Colonies, Whether Mr. W. B. Griffiths is District Commissioner of Cape Coast Castle; and, if so, at what date he was appointed to that post; what salary he has received since his

appointment; and, whether he has ever resided in the district to which he was appointed, or fulfilled any duties attaching thereto?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Mr. Griffiths was not appointed District Commissioner of Cape Coast Castle, but a District Commissioner of the Gold Coast Colony, on the recommendation of the late Governor. He was appointed by the Earl of Derby in February, 1885. His salary is £600. He was not intended to serve in any one district, but generally wherever the exigencies of the Public Service required. He has been acting as a Deputy Commissioner, as Queen's Advocate, and as a Puisne Judge, in accordance with a clause specially inserted in all the letters appointing West African officers, to the effect that their services will be available for any duties upon which the Governor, in the interests of the Public Service, may think it desirable to employ them.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—THE JUBILEE MEDALS.

SIR ALGERNON BORTHWICK (Kensington, S.) asked Mr. Chancellor of the Exchequer, Whether the Jubilee medals can be issued at some early date; and, whether the prices can be modified so as to place the bronze medals within reach of the million?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The striking of Jubilee medals has begun, and the applications for them, which are already very numerous, will be dealt with in order of priority. With regard to a modification of the price of the bronze medal so as to bring it within reach of the million, I fear it is impossible. The value of the bronze used forms but a very small part of the cost of production. The work is in high relief, as is usual in medals, and such large medals require between 30 and 40 blows of the press before a perfect impression can be obtained. It is this process which renders the cost of production comparatively high, and prevents the medals being offered to the public at a very low price, if the cost of production is to be refunded to the State. It is evident, therefore, that the wish of the hon. Member cannot be carried out if so hard a metal as bronze is to be used. The case would be different if such a soft metal as lead were used; but that would be unsuitable in many respects, and would scarcely give satisfaction.

INDIA (MADRAS)—THE MADRAS GUNPOWDER MANUFACTORY.

MR. MALLOCK (Devon, Torquay) asked the Under Secretary of State for India, Whether the Secretary of State for India has been able to comply with the application of the Madras Government, that the order for closing the Madras Gunpowder Manufactory should be cancelled; and, if not, can he state the reason of his inability to do so?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The order to close the Madras Powder Factory was an order of the Government of India. The Secretary of State, finding that the Military Authorities are satisfied with the order, has not thought it necessary to interfere.

FISHERY BOARD (SCOTLAND)—CROFTERS' AND COTTARS' FISHING BOATS—LOANS.

DR. R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, Whether any fresh arrragements have been, or are being, made with the Treasury as to the advances to be paid down by Scotch fishermen for boats and fishing gear under the Crofters' Act of last year?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): In reply to this Question, I beg to direct the hon. Member's attention to the answer given by the First Lord of the Treasury on the 23rd of May, when he informed the hon. Member for Caithness (Dr. Clark) that the present condition as to these advances not having had a fair trial, the Government are not prepared to recommend any change.

POST OFFICE (TELEGRAPH DEPARTMENT)—TELEGRAPH SUPERINTENDENTS.

MR. DILLWYN (Swansea, Town) asked the Postmaster General, Whether, in view of the great increase of the number of telegraphic messages sent, in consequence of the reduction to the 6*d*,

tariff for such messages, whereby the duties of the telegraph superintendents have become much more onerous than heretofore, it is intended to take their case into consideration, with the view of granting them a corresponding increased remuneration?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The subject to which the hon. Member refers is one which requires a good deal of examination on my part, and is also one in regard to which I wish to reserve full liberty and discretion.

WAR OFFICE — ATTENDANCE OF TROOPS AND BANDS AT SHEFFIELD ON THE JUBILEE CELEBRATION.

MR. HOWARD VINCENT (Sheffield, Central) asked the Secretary of State for War, Why the loyal people of Sheffield were deprived of the expected co-operation of the troops in garrison and their bands in celebrating the Jubilee of Her Majesty the Queen, having regard to the total absence of all political character from the rejoicings; and, whether some definite Rules can be laid down for the guidance of officers commanding military districts as to the participation in popular non-political demonstrations of Regular and Auxiliary Forces, so as to prevent the local inconvenience recently occasioned in many places by contradictory orders?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I regret that, through any misunderstanding, the people of Sheffield should have lost the co-operation of the Regular troops in their Jubilee rejoicings; but the employment of troops on such occasions is left entirely to the discretion of the General Officer commanding, and it does not appear, from any information that has reached me, that any communication on the subject was made to him. If it had been, I have no reason to doubt that it would have been assented to. These cases must be left largely to the discretion of the General Officers; and I am not disposed to fetter their action by the imposition of hard-and-fast Rules, beyond the general principle that soldiers must not participate in demonstrations of a political character.

NATIONAL EDUCATION (IRELAND)— FAILURE IN GEOGRAPHY — MONITORS.

MR. BYRNE (Wicklow, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If a monitor in a National School in Ireland passes his examination on the ordinary course of geography, in addition to any other subject on his programme, including algebra and geometry, but fails in one or two technical questions on an old disused book called the *Compendium of Geography*, is to be dismissed, and his teacher deprived of the gratuity for instructing him; and, will he be good enough to state what the rule is in such cases?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, that he was informed by the National Education Commissioners that no such case had arisen so far as they were aware.

THE MAGISTRACY (IRELAND) — THE CASTLEWELLAN BENCH.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the constitution of the Castlewellan Bench of Magistrates, which is now composed of eight Protestants, all of whom are Tories, and one Catholic, Whether he is aware that the inhabitants of the district of Castlewellan are largely Catholics and Nationalists; whether he will give the name of the Catholic magistrate from another district who has been asked to attend Castlewellan Bench; whether a Memorial signed by all the Catholic clergymen in the district, and by two magistrates, giving the names of three gentlemen, each of whom is well qualified for the office, has been received by the Lord Chancellor; and, if these gentlemen be not appointed, whether he will state on what grounds, and by whom, they are objected to?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said, he was not aware of the political views of the magistrates, nor of the relative proportion of the different religious denominations or political parties in the population in this Petty Sessions

district. Mr. J. M'Loughlin, a Roman Catholic, residing in the adjoining district, was not asked, but was directly appointed to the Magistracy to attend at Castlewellan as well as in the district in which he resided. A Memorial signed by some Roman Catholic clergymen and by two magistrates, one residing in the Newry district, and the other, Mr. M'Loughlin himself, asking for three additional appointments to be made, was forwarded to the Lord Chancellor, who, having conferred with the Vice Lieutenant of the county, did not consider any further appointments in the district necessary.

MR. M'CARTAN asked, if the right hon. and gallant Gentleman was aware that the Vice Lieutenant of the county, in reply to the Memorial, said he would take it into favourable consideration; and that the Lord Chancellor, immediately on receiving the Memorial, wrote back saying that he would have two magistrates appointed?

COLONEL KING-HARMAN said, he had no further information than that which he had given.

THE IRISH LAND COMMISSION—THE SUB-COMMISSIONERS—APPEALS.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that several appeals on behalf of tenants against decisions given by the Sub Land Commissioners in the County Clare have been pending for the last two years; whether the Chief Commissioners are to sit in Ennis on 11th July to try appeals; whether the landlords' appeals in the list for that sitting have been nearly all withdrawn; and if, in consequence, the Chief Commissioners will have before them very few cases which will actually go to trial; and, whether he will recommend that a supplementary list of the cases already entered for appeal, and so long awaiting final decision, be made out for the approaching sitting of the Chief Commission in Ennis?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Land Commissioners report that some tenants' and some landlords' appeals from the County Clare—not yet listed for hearing—have been pending during the past two years. The Land Commissioners intend to sit at Ennis for the purpose of hearing appeals on the 11th of July. As it was believed there would be many withdrawals, a preliminary list of 240 cases was issued, and the parties interested were requested to inform the Court of all settlements and withdrawals that had taken place. There were 97 withdrawals, leaving 143 cases to be heard. In addition to these appeals four applications to have leases declared void will be tried. In view of the number of cases listed for hearing, and of the other engagements of the Court, the Land Commissioners consider it would be idle to prepare the supplementary list suggested in the Question, as such additional cases would probably not be reached, and fruitless inconvenience and unnecessary expense would be incurred by the suitors.

POOR LAW (IRELAND)—JOSEPH WATT, RELIEVING OFFICER OF THE BELFAST UNION—CASE OF JOHN McCABE.

MR. BLANE (Armagh, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If the attention of the Local Government Board had been directed to the report of the meeting of the Belfast Board of Guardians on 7th June, 1887, as appeared in *The Belfast Morning News* of the following day, where a pauper, named John McCabe, stated on examination by the Chairman of the Board (during an investigation of a serious charge preferred by Mr. McKibbin, a Guardian, against the workhouse master)—

"That he was discharged from the workhouse on the morning of 1st June, and, failing to get work, went to relieving officer Watt's residence on the same evening for a 'line of admission,' when he was struck with a stick by Watt, who refused him the 'line' sought;"

is it true that though the pauper's statement was made in Watt's presence no explanation of his conduct was asked by the Guardians; and, is Watt the same person who was absent from duty without permission on 26th April, 3rd, and 10th May last on account of alleged drunkenness?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: The Local Government Board are aware that there is a statement in *The Morning News* to the effect mentioned in the Question; but no official complaint has been made to them on the subject.

The Clerk of the Union reports that Mr. Watt was not questioned by the Board of Guardians with respects to McCabe's allegation, but that he is prepared to flatly contradict it. Mr. Watt is the relieving officer who was referred to by the hon. Member who puts this Question in a previous Question asked by him on the 13th of May last, and by the hon. Member for South Kildare (Mr. Leahy) in a Question put by him on the 16th of May. As the hon. Member is perfectly aware, the charge of drunkenness was then disproved, Mr. Watt's absence having been due to illness, as was shown by the medical certificate furnished in his case.

MALTA—CHANGES IN THE CONSTITUTION — RESIGNATION OF MR. SAVONA, DIRECTOR OF EDUCATION.

MR. H. J. WILSON (York, W.R., Holmfirth) asked the Secretary of State for the Colonies, Whether Mr. Savona, Director of Education in Malta, has, in a letter of date 14th May addressed to the Governor, resigned his office and his seat on the Legislative and Executive Councils of Malta, stating that the changes which Her Majesty's Government have proposed to introduce into the Constitution of Malta are displeasing to all parties, and that the struggle which has so long been going on between the Government and the people is sure to be prolonged; whether the Dr. Roncali, who is mentioned in the despatch of the Colonial Office of 16th April last, as having proposed a scheme for the government of Malta, an important feature of which has been embodied in the proposed new Constitution, expressed himself so lately as September, 1885, as antagonistic to English rule in Malta; and, whether, considering the generally expressed disapproval among the Maltese of the proposed new Constitution, he is prepared to reconsider the proposed Constitution?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Yes; Mr. Savona has stated his opinion of the state of affairs in Malta in a letter of the 14th of May. It must be remembered that he cannot be said to be qualified to speak for "all parties." Dr. Roncali, who is referred to at length in Sir Lintorn Simmons's despatches of December 24, and in other parts (pages 53 and 59) of the recent Parliamentary Paper, has been antagonistic to the policy of the Government in Malta; but in a letter of September 18, 1885, to the Governor, he denied that on the occasion referred to he expressed himself as hostile to British rule. There has been, and is, no intention of offering any post to Dr. Roncali. Her Majesty's Government are considering the expediency of modifying in some details the scheme of Constitution sketched in the despatch of April 16, which, I may observe, was published in Malta for the express purpose of ascertaining public opinion upon it.

POST OFFICE—TELEGRAPH DEPARTMENT—ALLEGED DEFICIT OF £50,000.

MR. DE LISLE (Leicestershire, Mid) asked the Postmaster General, Whether the deficit of £500,000 from the telegraphs of the United Kingdom represents an absolute loss to the Post Office of this sum upon the working of the present Home telegraphic tariffs; and, if so, whether Her Majesty's Government will take into consideration the advisability of rectifying this tax upon the general taxpayer, either by raising the charge per word after the 6*d.* minimum, or by raising the charge for registered addresses, or by abolishing them altogether; and, whether it is a fact that the telegraphs are used chiefly by news agencies, speculators in stocks and shares, and by betting men, who, living in towns, have no porterage to pay upon their telegrams; and, if so, whether steps cannot be taken to enable persons living in the country, and engaged in agricultural pursuits, to enjoy a similar proportion of advantage from the telegraph subsidy of £500,000?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The accounts for the last financial year have not yet been closed, and I am, therefore, unable to furnish any more definite information as to the deficiency in the Telegraph Revenue than I did on the 6th June, when the Votes for the Post Office were under discussion in this House. I then stated that there was a permanent charge of £326,000 for interest on capital, and that the actual deficit on the working of the telegraph system was estimated at £223,000, making a total deficit for the year of about £550,000. The estimate of a loss of £223,000 on the working of the

system has reference to the whole of the telegraphic business of the Department—including inland telegrams, foreign telegrams, Press telegrams, the rentals of private wires, and various other branches of the business. So soon after the introduction of the reduced rate I do not see my way to advise Her Majesty's Government to make any further alteration in the charge for telegrams; and although, for some reasons, it would be better both for the public and the Department that the registration of abbreviated addresses should be abolished, I think it would be difficult to withdraw the privilege of registration at present. I will, however, cause the system to be carefully watched, and will not lose sight of the suggestion made by the hon. Member. I regret that it is not in my power to state what is the present proportion of stock and betting messages; but a Return is now in course of preparation, which I hope to be able to publish before the end of the year, giving the desired information for a week just prior to the introduction of the new rate, and for a corresponding week of last year. I do not see how arrangements could be made to deliver telegrams free at the houses of persons who live in places outside the free delivery of any telegraph office without increasing the loss which is already incurred on the telegraph business of the country.

SCOTLAND—CROFTERS COMMISSION—ESTATE OF SIR JOHN FOWLER—NOTICE IN RESPECT OF LODGERS.

DR R. MACDONALD (Ross and Cromarty) asked the Lord Advocate, If he will make inquiries as to the authenticity of the following Circular, announced in the newspapers to have been issued on the estate of Sir John Fowler, K.C.M.G., of Braemore:—

"Regulation.

"Inverbroom House, Braemore,
"May 26th, 1887.

"Anyone keeping lodgers after the 28th of May will pay to Mr. Fowler 1*s.* per week extra for each lodger.

"(Signed) T. A. Fowler;"

if he is aware that the usual charges for lodgers in the district is 1*s.* 6*d.* per week; that the rent paid by each crofter for his cottage is £5 4*s.* per annum; and that the rent paid for the crofts is £1 per acre; and, whether the Crofters' Commissioners have the power to prevent this indirect increase of rents in this district?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Sir John Fowler has built a considerable number of houses of modern construction for workpeople on his estate. These houses were built solely for their accommodation; but it has been found that some of the tenants of the houses take in lodgers to such an extent that the whole of the tenants' families—sometimes five, six, and seven people—live in one room, the whole of the rest of the house being occupied by lodgers. To this Sir John Fowler objects on sanitary grounds—for the sake of the people themselves; and he desires to prevent it. If these people fall within the definition of crofters under the Act of last year, the Commission can deal with their rents; but I am informed that the present rent does not yield more than 1½ per cent to the proprietor on his outlay.

COLONIAL JUDGMENTS, &c.—LEGISLATION.

MR. OSBORNE MORGAN (Denbighshire) asked the Secretary of State for the Colonies, Whether he can hold out any hope that a Bill dealing with Colonial Judgments and kindred subjects, upon the lines approved at the recent Colonial Conference, will be introduced by the Government during the present Session?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Two draft Bills, one dealing with Colonial Judgments, the other with Bankruptcy, have been prepared, and I have communicated them to the Lord Chancellor, who is consulting some of the Judges upon their provisions. Subject to the approval of the Lord Chancellor, I hope it may be possible to introduce and pass the Bills during the present Session.

POST OFFICE (IRELAND)—POSTAL FACILITIES DURING THE MACKEREL SEASON.

MR. HOOPER (Cork, S.E.) asked the Postmaster General, Whether any decision has been arrived at with reference to the continuance of the improved postal facilities afforded to the town of

Kinsale since the opening of the mackerel fishing season?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I have given directions for the day mail car to Kinsale to be continued temporarily after the close of the fishing season, until it can be ascertained by a fresh account what the normal correspondence for Kinsale by day mail actually is.

CELEBRATION OF THE JUBILEE YEAR OF HER MAJESTY'S REIGN—SPECIAL GRATUITY TO THE METROPOLITAN POLICE.

MR. LAWSON (St. Pancras, W.) asked the Secretary of State for the Home Department, Whether any special gratuity will be given to the Metropolitan Police for their extraordinary services during the Jubilee week, and whether the members of the Force will have any compensating holiday; if so, what is the arrangement proposed?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The services of the Metropolitan Police during the Jubilee festivities will be recognized and rewarded. The members of the Force in the Metropolitan District will receive a day's pay and a commemorative bronze medal. The Chief Commissioner informs me that he has also granted three extra days' leave, with full pay, to the members of the Force.

WAR OFFICE (ORDNANCE DEPARTMENT)—THE SURVEYOR GENERAL.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether any, and, if so, what, duties are attached to the Office of Surveyor General of Ordnance which are not mentioned in his Letter of Service; why they are not so mentioned; and upon what principle is he held responsible for the performance of duties not assigned to him in such Letter of Service; and, whether the Order in Council of June, 1855, which laid down the duties of the Director of Army Contracts, has long since been revoked, and no new Order substituted for it; and, if so, in what way are the duties and responsibilities of that important official defined and prescribed?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The only duty assigned to the Surveyor General of the Ordnance which is not included in the duties assigned to him by the Order in Council of June 23, 1870, is the supervision and control of the expenditure for building services. There is no actual necessity for assigning particular duties to any officer by Order in Council, except that it gives more formal sanction to a particular organization. It was, and is, quite within the Secretary of State's competency to assign any duties not otherwise assigned by Order in Council to any officer of his Department. When the Order in Council of June, 1855, was revoked by that of February, 1857, it was considered desirable to leave the Secretary of State free to make what distribution of the business of the office he considered best without tying his hands by an Order in Council. The Director of Contracts acts under delegated authority from the Surveyor General of Ordnance, who is charged with the provision of all stores, &c., for the Army. His duties and responsibilities are well defined by custom, and no difficulty arises for want of a formal definition of them. The whole question was considered by the House of Commons Committee on Purchases by Public Departments in 1874, and the mode in which the duties should be performed was laid down in detail in its Report. This Report was approved by the Government and the Director of Contracts acts in strict accordance with the recommendations of that Committee.

COMMISSIONERS OF WOODS AND FORESTS—RETURN OF INCOME AND EXPENDITURE.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the Secretary to the Treasury, When the Return as to the Income and Expenditure of the Commissioners of Woods and Forests, ordered on the 28th February last, will be presented and circulated?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The Return in Question has been found to involve more labour than was at first thought probable; and its preparation has also been delayed by the necessity for completing the Annual Report of the Commissioners of Woods, which was laid upon the Table yesterday. Every effort will now be made to complete the Return as quickly as possible.

WAR OFFICE (ORDNANCE DEPARTMENT)—SMALL ARMS FACTORY AT ENFIELD.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Surveyor General of Ordnance, Whether the works at the Royal Small Arms Factory at Enfield are being greatly extended; whether, for this purpose, during the last financial year, £36,967 was voted for buildings, and £20,000 for machinery, whilst for the current financial year £19,983 is asked for buildings, and £18,500 for machinery; and, whether he will explain why the staff of workmen at Enfield is being reduced, concurrently with the extension of the works?

THE SURVEYOR GENERAL (Mr. NORTHCOTE) (Exeter): Extensions of the factory were approved in 1885, and will be completed this year. The figures in the second paragraph are correctly quoted from the Estimates, and represent the sums necessary to carry out the works authorized in 1885. The delay in the adoption of the pattern of the new rifle has to some extent affected the position of the workmen at Enfield; but, as I said last night, no decision involving any large reduction has as yet been come to.

In reply to Mr. HANBURY (Preston),

MR. NORTHCOTE said, that the discharge of men for mere purposes of reduction had been so small as really to amount to no reduction at all.

MR. PICKERSGILL asked, whether the hon. Gentleman was aware that, during the current week, the overseer had been making the usual inquiries which precede discharge or suspension of workpeople?

MR. NORTHCOTE replied, that he could not say what inquiries had been made; but no reduction would be made without consideration, and, as yet, no decision had been come to.

LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS.

MR. ATHERLEY-JONES (Durham, N.W.) asked the Secretary of State for the Home Department, Whether his attention has been called to the arrest by the police at 9.30 on Tuesday evening last, on a charge of prostitution, of a young woman in employment as forewoman at a dressmaking establishment; whether her employer deposed that she had never been out of doors of an evening for three weeks previous to the evening in question, and that on that occasion she went out to make some purchases; whether there was any corroboration of the constable's evidence; whether Mr. Newton, the police magistrate, is correctly reported to have stated—

"That he thought she was out for an improper purpose,"

and added—

"Just take my advice; if you are a respectable girl, as you say you are, don't walk in Regent Street at night, for if you do you will either be fined or sent to prison after the caution I have given you;"

and, whether the Government will make inquiries into the accuracy of the report in question?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have obtained from the magistrate a Report on the case, from which it appears that the facts are substantially as stated in the Question, except that the young woman's employer merely stated, not on oath, that she was a forewoman in a dressmaking establishment. There was no corroboration of the constable's evidence; but the magistrate had known him for a long time as a trustworthy officer, and saw no reason to doubt his evidence, which distinctly established three cases of solicitation by the young woman to the annoyance of passers-by.

MR. ATHERLEY-JONES: Will the right hon. Gentleman make further inquiries as to whether the employer of this young woman did not give her evidence on oath?

MR. MATTHEWS: No, Sir; the magistrate informed me distinctly that she did not.

MR. PAULTON (Durham, Bishop Auckland): Will the right hon. Gentleman make inquiries as to whether the constable was not exceeding his duty in taking the girl into custody without a charge being preferred against her by another person?

MR. MATTHEWS: The constable stated that the prisoner caught hold of two more gentlemen, one of whom said in his hearing—"It is very hard that I should be stopped; it is the third time I have been stopped in this street." The law as interpreted by the Metropolitan Police Magistrates, whose decisions it is not for me to criticize, is that if in the

hearing of the police constable there is solicitation to the annoyance of the passers by, that is sufficient.

MR. PICKERSGILL asked, whether the statement of the gentleman was not made subsequent to the arrest of the girl?

MR. MATTHEWS said, he had read from the evidence given when the charge was heard.

MR. ATHERLEY-JONES said, that in consequence of the answer which had been given he should, at the earliest possible moment, call attention to this case.

MR. PICKERSGILL said, he thought that the Home Secretary had failed to appreciate the point of the Question. His Question was whether, according to the evidence given by the constable himself, the arrest of the girl did not take place first, and subsequently, in the hearing of the girl, the gentleman came up and used the words?

MR. MATTHEWS: No, Sir. That does not appear from the evidence. It appears from the evidence of the witness that he heard the matter stated. It does not appear at what period he took her into custody; but I gather, from the tenour of the evidence, that it was after hearing that.

MR. PICKERSGILL: Will the right hon. Gentleman make special inquiry?

MR. MATTHEWS: No, Sir.

Subsequently,

MR. J. CHAMBERLAIN (Birmingham, W.): I wish to ask the right hon. Gentleman whether, considering the very serious injury which may have been done to an innocent person, if any mistake has taken place in this case; and, considering also it was perfectly evident that the magistrate himself was in some doubt on the subject, because he did not either fine or send the girl to prison, whether, under these circumstances, he could not, consistently with his duty, make some further inquiry as to the character of the employer and the girl herself?

MR. MATTHEWS: In answer to the right hon. Gentleman, I can only say that I have inquired of the magistrate, and have received from him a full Report, of which I have only given the substance and effect to the House. The Report was accompanied by a copy of the evidence, which I will read if the House thinks proper. ["No!"] The magistrate tells me that he has known the officer as a trustworthy constable for a number of years, and he had no doubt whatever as to what occurred in Regent Street on the night in question. I should, of course, have no objection to make any inquiry; but I am sure the right hon. Gentleman will see the difficulty of instituting a sort of inquisitorial inquiry into the life of this young woman whom the magistrate, not wishing to inflict any punishment upon, discharged. I feel a great difficulty about sending detectives either to the dressmaking establishment, or to the house of the young woman to make inquiries. I am told that the proof before the magistrate was simply conclusive.

BUSINESS OF THE HOUSE — THE SCOTCH UNIVERSITIES BILL.

MR. E. ROBERTSON (Dundee) asked the Lord Advocate, Whether it is the intention of the Government to proceed with the Scotch Universities Bill this Session?

THE LORD ADVOCATE (Mr J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Yes, Sir.

TREATIES WITH FOREIGN POWERS—NATIONAL TREATMENT CLAUSES.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, When the Return of National Treatment Clauses contained in any existing Treaties of Navigation between Great Britain and any Foreign Power, ordered by the House on 10th June last, will be presented?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Return is being prepared; but, as it involves the careful perusal of every Treaty with every country, great care is required in its preparation. But no time has been lost; and, notwithstanding the great pressure upon the Librarian's Department of the Foreign Office, which is engaged upon the Return, I trust it will soon be in the hands of hon. Members.

INDIA (BENGAL)—THE OUT-STILL SYSTEM.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, Whether there has

been any, and what, extension of the out-still system in Bengal; and, whether Her Majesty's Government have received any intimation that Native opinion is opposed to such extension, as encouraging intemperance?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): Of late years it has been the policy of the Government to extend the out-still system in Bengal in place of the central distillery system, which did not work satisfactorily owing to the facilities it affords for fraud, and the temptation it holds out to illicit distillation; but Her Majesty's Government have not received any intimation from Natives of India that this extension is opposed to their opinions.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) asked, if it was not a fact that after the Government of Bengal had reported that the out-still system was injurious there had been an increase?

SIR JOHN GORST replied that there was no information to that effect; the policy of the Government had been to extend the out-still system in certain districts.

LAW AND JUSTICE (ENGLAND AND WALES)—THE SHROPSHIRE ASSIZES.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the Secretary of State for the Home Department, Whether it is true that a scheme is in contemplation with the object of removing the civil business of the Shropshire Assizes from Shrewsbury to some town outside the County of Salop; and, whether he would be prepared to withhold his sanction from any Order in Council which would have that effect?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No such scheme has been brought to my notice. My hon. Friend is, no doubt, aware that the regulation of Circuit business, whether by Rule of Court or by Order in Council, does not require the sanction of the Secretary of State, and is subject to review by either House of Parliament.

POST OFFICE CONTRACTS — EAST INDIA AND CHINA MAIL CONTRACT.

MR. PROVAND (Glasgow, Blackfriars, &c.) asked the Secretary to the Treasury, If he will cause to be printed and distributed to Members of the House, on Monday morning with the Orders, a copy of the Memorandum recently furnished to him or to the Treasury by the Peninsular and Oriental Steam Navigation Company, relating to the contract for the conveyance of the India and China Mails?

THE SECRETARY (Mr. JACKSON) (Leeds, N.), in reply, said, he did not think it would be conducive to the public interest that letters or documents in the nature of private communications, which might be addressed to the Secretary to the Treasury, should be laid before the House.

MR. PROVAND: I know that a number of Members have seen it; and, consequently, I think it is better that all of us should see it.

MR. JACKSON: I have no knowledge of that.

TRADE AND COMMERCE—DESTITUTION AMONG IRON-WORKERS AT TIPTON—OUT-DOOR RELIEF.

MR. CREMER (Shoreditch, Haggerston) asked the President of the Local Government Board, Whether he is now in a position to answer the following Question, which was addressed to him on Monday last—namely, whether his attention has been called to the following statement which appeared in a London evening journal on Friday last:—

"At Tipton, this afternoon, a deputation of about 100 workers, residing at Bloomfield, Tipton, waited upon the Poor Law Guardians, and applied for relief. It was stated that about 400 ironworkers and their families were starving, through the stopping of the ironworks, some of the men not having broken their fast for several days. The Chairman and other Guardians sympathized with the men, and stated that the only relief they could give was to send them into the workhouse;"

and, if the statement truly describes the condition of the ironworkers at Tipton, whether he will immediately take the necessary steps to ensure temporary outdoor relief being afforded the men and their families by the local Poor Law Guardians?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I am informed by the clerk of the Dudley Union that a deputation representing between 20 and 30 ironworkers from Tipton parish appeared before the Board of Guardians last Friday, and that the statement as to 400 ironworkers and their families being in a state of

starvation is untrue, so far as the Guardians and their relieving officers are aware. It is the case that the men were offered the workhouse last Friday, but refused to accept orders for admission. Although trade is bad there is no special distress in the district, and the relieving officers have not received any applications from the men out of work. It rests with the Guardians to determine, in the case of able-bodied men seeking relief on the ground of their being out of work, whether they will give out-door relief subject to a labour test, or whether they will offer the workhouse. The weekly meeting of the Board of Guardians is held to-day; and the Inspector of the district has gone to meet the Guardians in connection with this subject. His Report will probably furnish further information.

TRUCK BILL—WEEKLY PAYMENT OF WAGES IN IRELAND.

MR. SEXTON (Belfast, W.) asked the Secretary of State for the Home Department, Whether, in the event of a general agreement of opinion on the subject amongst Irish Members of the House, the Government will agree to insert a clause in the Truck Bill providing for the weekly payment of the wages of workmen in Ireland?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Such a remarkable consensus of opinion as the Question of the hon. Member suggests would, undoubtedly, carry great weight; but the proper time for the Government to express an opinion on the subject will be when the Bill is again before the House and the hopes of the hon. Member are realized.

THE PARIS EXHIBITION, 1889.

MR. HOWARD VINCENT (Sheffield, Central) asked the Under Secretary of State for Foreign Affairs, If it is a fact that the British Chamber of Commerce in Paris has undertaken, with the assent of the French Government, the arrangement of the British section of the great International Exhibition of 1889; and, if it is proposed to ask Parliament for any grant of public money towards the expenses of an undertaking of such interest to the commercial community?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The British Chamber of Commerce at Paris have proposed to undertake the management of the British section of the Paris Exhibition of 1889. As Her Majesty's Government do not propose to take an official part in the Exhibition, it is not intended to ask Parliament for any grant of public money towards the expenses of the undertaking.

LAW AND JUSTICE — OFFENCES AGAINST WOMEN AND CHILDREN —RETURNS.

MR. JAMES STUART (Shoreditch, Hoxton) asked the Secretary of State for the Home Department, Whether he will lay upon the Table of the House a Return of the recommendations made since the passing of "The Criminal Law Amendment Act, 1885," by Grand Juries with respect to the punishment of offences against women and children?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, there were no Returns of the recommendation of Grand Juries with respect to this Act in the possession of the Home Office.

THE IRISH LAND LAW BILL AND THE CRIMINAL LAW AMENDMENT (IRELAND) BILL.

MR. JOHN MORLEY (Newcastle-upon-Tyne): In the absence of the First Lord of the Treasury, perhaps the Chancellor of the Exchequer would answer the Question I wish to ask. It is with reference to the date on which the Criminal Law Amendment (Ireland) Bill will be taken. I understand it is impossible for the Irish Land Law Bill to leave "another place" till Monday. If so, it is impossible that it could be in our hands till Tuesday morning. In that case does the Chief Secretary intend to take the third reading of the Criminal Law Amendment (Ireland) Bill on Tuesday evening?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) (who had just come in behind the Chair): I think the House will agree that it would be entirely in accordance with the pledge given by the Government if they took the third reading of the Criminal Law Amendment (Ireland)

Bill on Tuesday evening, provided that the Land Bill was in circulation on Tuesday morning. Of course, if the Irish Land Law Bill is not circulated on Tuesday morning, the third reading will not be taken on Tuesday evening.

MR. JOHN MORLEY: Then the engagement of the First Lord of the Treasury comes to this—that we shall have from between 11 and 12 o'clock on Tuesday forenoon until 4 or 5 o'clock in the afternoon to consider the Irish Land Law Bill.

THE METROPOLITAN BOARD OF WORKS—REPRESENTATION IN THIS HOUSE.

MR. LAWSON (St. Pancras, W.) asked Mr. Chancellor of the Exchequer, Who now informally represented the Board of Works in the House?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) asked that Notice should be given of the Question.

ROYAL IRISH CONSTABULARY — INQUIRY AS TO THE CONDUCT OF THE CONSTABULARY AT BODYKE, CO. CLARE.

MR. DILLON (Mayo, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, keeping in view the action of the Secretary of State for the Home Department, in appointing a Commissioner to inquire into the tithes disturbances in Wales, he would not reconsider his refusal to inquire into the recent conduct of the Constabulary in the County of Clare?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): At Bodyke?

MR. DILLON: And Feakle.

MR. A. J. BALFOUR: No, Sir. All the information which I have received from these quarters since I had the honour of addressing the House on the subject leads me to believe that the police acted admirably, and that no inquiry whatever is required.

BUSINESS OF THE HOUSE.

In reply to Sir JOSEPH PEASE (Durham, Barnard Castle),

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, that on Monday the Government proposed to take Supply, which was urgent. At about 10 o'clock they would move to report Progress, in order to proceed with the subject of the Peninsular and Oriental Mail Contract.

In reply to Mr. CLANCY (Dublin Co., N.),

THE SECRETARY TO THE BOARD OF TRADE (Baron HENRY DE WORMS) (Liverpool, East Toxteth) said, that he proposed that evening to move that the House go into Committee on the Merchandize Marks Bill. He hoped that the Bill might be discussed in Committee on Monday.

DISTRESSED UNIONS (IRELAND) BILL.

MR. DILLON (Mayo, E.): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state when it is proposed to circulate the Bill mentioned by the Parliamentary Under Secretary yesterday, in reply to a Question of mine, a Bill which is stated to have been based upon the Report of the Irish Poor Relief Inquiry Commissioners; and, whether he could not now explain what the proposals of the Government are?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am afraid, Sir, it would not be in Order for me to explain the Bill now; but what I propose doing is to circulate with the Bill a Memorandum explaining the nature of the Bill, and the object of its introduction.

MR. DILLON: Can the right hon. Gentleman give any indication on what day it will be printed?

MR. A. J. BALFOUR: It will be printed immediately. I hope it will be circulated to-morrow or Monday.

RIOTS AND DISTURBANCES (IRELAND)—CELEBRATION OF THE 1ST OF JULY (BELFAST)

MR. SEXTON (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he had any information that the 1st of July was passing quietly in Belfast; and what arrangements the authorities had made for the preservation of the peace of that city?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have received no information to-day of the condition of things; but the Reports which

I have recently received lead me to believe that the arrangements for dealing with any disturbances that may arise in Belfast are better than they have been on any previous occasion.

CRIMINAL LAW AMENDMENT (IRELAND) BILL.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Among the Notices disposed of, in consequence of the course of proceedings adopted last night upon the Criminal Law Amendment (Ireland) Bill, there were two given by my hon. and learned Friend the late Attorney General (Sir Charles Russell); one relating to the 2nd clause, and to the protection afforded by the Trades Unions Act to all persons in respect of exclusive dealing, not in respect of violation of contract; and the other relating to the 6th clause, and providing for the power of obtaining a judicial issue of the proceedings under that clause. I wish to ask Her Majesty's Government whether they are disposed, with regard to either or both of those Amendments, to incorporate them in the Bill? but I have not the slightest right to expect an answer now. I only mention the matter for convenience. I will give Notice of the Question for Monday, if the Government are not prepared at present to say "Aye" or "No" upon the subject.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I should be unwilling to give a final answer without having the Question before me; but I am afraid I cannot hold out any hope that the answer will be favourable.

MR. W. E. GLADSTONE: Then I will put down a Question for Monday, in order that the matter may be quite clear.

ORDERS OF THE DAY.

—o—

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CULTIVATION OF WASTE LANDS, RESOLUTION.

MR. BRADLAUGH (Northampton), in rising to move—

"That, in the opinion of this House, ownership of land should carry with it the duty of cultivation, and that in all cases where land capable of cultivation with profit, and not devoted to some purpose of pubilc utility or enjoyment, is held in a waste or uncultivated state, the local authorities ought to have the power to compulsorily acquire such land by payment to the owner for a limited term of an annual sum not exceeding the then average net annual produce of the said lands, in order that such local authorities may in their discretion let the said lands to tenant cultivators, with such conditions as to term of tenancy, rent, reclamation, drainage, and cultivation respectively as shall afford reasonable encouragement, opportunities, facilities, and security for the due cultivation and development of the said land,"

said, he was aware that abstract Resolutions moved in that House without the immediate prospect of legislation following were often a waste of time; but last year, when he introduced a Bill on this subject, he was told by many hon. Members on his own side of the House that no measure of that character ought to be brought forward except by one of the Members of the Front Benches. He could scarcely expect such a measure from the present Government, and he had seen no sign of any inclination towards such a measure from the Opposition Front Bench. For this reason, and because of the utter impossibility of carrying in this Session a contentious Bill by a private Member, he now attempted to proceed by Resolution to elicit through debate and in the Division Lobby an expression of opinion from the House on his proposal. He would remind the House that in the last Parliament he introduced a Bill involving the same principle—*i.e.*, that of compulsory cultivation, but differing in some very important details from the Resolution now submitted. That Bill was fairly discussed on second reading, and then withdrawn. He would venture to submit three propositions, all of which seemed to him to be clear, and the acceptance of which by the House would involve the acceptance of the Resolution in spirit if not in each of its details. The first of these propositions was that the right of ownership of cultivable land ought to carry with it the duty of cultivation. He used the word "cultivation" in its widest sense as equivalent to utilization, not meaning necessarily cereal or green crops, but that it should furnish employment. The second proposition was that of the culti-

vable land in the United Kingdom there were now 12,000,000 acres in an uncultivated state. He had heard strong denials from hon. Members, whose opinions were entitled to respect in that House, that there was a solitary acre of such land uncultivated except on account of the exigencies of a vacant farm; but he hoped to be able to satisfy the House that his view was correct. The third proposition, which followed upon the other two, was that, when the owner would not cultivate, means should be adopted to insure due cultivation. With regard to the first of these contentions, it had been said by a former Member of this House—one of world-wide repute as a political economist—that whenever in any country the proprietor, generally speaking, ceased to be an improver, political economy had nothing to say in defence of landed property, as so established, when the owner was merely a sinecurist quartered upon it. Without, however, relying upon political economy, he would submit that as a matter of law the principle had been recognized over and over again in this country that all holding of land was subject to the well-being of the population, and he submitted that Parliament was the supreme and only interpreter from time to time of what that well-being was, and there was no ownership of land known which permitted the owner to do what he pleased with it. On the contrary, Parliament had always claimed control over the manner of ownership, and even to deprive the owner of his possession when his ownership conflicted with something that Parliament considered to be for the well-being of the country. That was seen in the case of railways, canals, and town improvements. Even when the owner was left in possession, he was not allowed either by Statute or by Common Law to do what he pleased with the land. The Civil and Criminal Law contained remedies and penalties against him if he used or abused his ownership to the annoyance or injury of his fellow-citizens. In a crowded country like this, from which people were recommended to emigrate, a man who held large quantities of land in an uncultivated state was guilty of an offence which, if not yet a legal, was certainly a moral offence, and an offence which the law ought to step in and deal with. Here, where a large number of people were out of employment—and a little while ago the fact of their being out of employment was of interest to Conservative Members, and when there was land which would afford employment but did not, owing to the action or non-action of the owners, he urged that the Legislature had a duty as well as a right to step in and make that a legal offence which was now a moral offence. If land would provide reasonable and profitable employment for the unemployed, the owner should be warned that he would not be permitted to deprive the masses of facilities for honest existence. Unoccupied and unused land near great towns escaped the local rating, whilst its value for building purposes was enormously increased by the mere augmentation of population. Those who leave land unoccupied near large centres of population laid a burden upon the ratepayers, as the land escaped the burden which it ought to bear. The objection would probably be raised again —"May not a man do what he likes with his own property?" To that he replied, the law says "No." They had already legislated with reference to certain classes of property in the direction to which he had referred. No property could be more valuable to a man who had no other property than his labour, but an able-bodied man was not allowed to let his labour lie idle, and to live upon charity; he was not even free to transfer his labour suddenly, if he left behind him a wife and children. He would be punished as a rogue and vagabond. If labour was burdened with penalties, then land, which had none of the anguish, none of the misery, and none of the pressure which labour had to bear, might be made by the House subject to the same burdens. He asked the House to declare that here, where the struggle for life was a very bitter one, that bitterness should not be enhanced by the people being told that there was land across the Atlantic or across the Pacific for them when there was land in this country to cultivate if they were only permitted to do so. He had been asked whether he thought anyone would be idiot enough to have land in an uncultivated state which could be cultivated with profit? Without going into that question, he could assure the House that what he had stated was absolutely the case. He

admitted that it was not easy at first to say how much of the uncultivated land was absolutely cultivable with profit. By that term he meant land which, as a first charge, repaid life to the labourer engaged in its cultivation, reimbursed all outlay of interest necessary to insure cultivation, and left any margin, however small, beyond, even if it did not produce enough profit for the tenant farmer. He quite admitted that before he could induce hon. Members to vote with him they would have to contradict flatly the doctrine laid down by the late Lord Beaconsfield, that there were three classes to be maintained from the land —the landlord, the tenant farmer, and the cultivator; and he urged that if the land in any case would only maintain two classes and not three, it was the duty of Parliament to see that it did maintain the two rather than it should be idle and maintain none. And if the land would neither maintain three classes nor two, but would maintain one, the cultivating labourer, then it was the duty of Parliament to see that it maintained the one rather than that otherwise helpless one should die. Now, there had been no investigation directed expressly to ascertain what uncultivated land was capable of cultivation with profit, and therefore the evidence upon that subject has been got incidentally. Mr. J. B. Denton—who was examined before the Royal Commission presided over by the Duke of Richmond—estimated the irreclaimable land in England and Wales at 4,722,100 acres; the cultivated land at 27,000,000 acres; and the uncultivated land capable of improvement at 5,596,000 acres. In Ireland, Professor Baldwin and Major Robinson, in their Report, showed that 6,000,000 acres of land were comparatively worthless, and the greater part of this was capable of being, and ought to be, reclaimed. On making a further examination into the subject Professor Baldwin said he was inclined to think there was some exaggeration as to the amount of waste lands in Ireland. There were not, he said, more than 1,500 acres of land capable of reclamation, 1,000,000 acres of bog land, and at least three or four times that amount of semi-waste which would admit of reclamation. The Professor afterwards admitted that, at the present, this semi-waste was absolutely worthless, producing no profit to the landlord or anyone else. Hon. Members might ask, with the distress in Ireland, how was it possible there could be so much waste; but he would show them. He might observe in passing that this statement of Professor Baldwin was corroborated by Major Robinson, these two gentlemen being Assistant Commissioners, appointed by the Duke of Richmond's Commission, and certainly they could not be accused of trying to make a case for the theory he (Mr. Bradlaugh) put forward. He thought it quite possible that some of the Irish Officials might express an opinion as to the value of Major Robinson's evidence; but certainly they would not suggest that any of the hon. Members sitting around him had had anything to do with fixing the kind of testimony which the Major gave. Mr. A. J. Kettle showed why this uncultivated land existed. In his evidence before the Commission, Mr. Kettle said that in a great part of Mayo and on the mountains and bogside of Tipperary and Kerry there had been endeavours to reclaim the land by the tenants, who had had no help but their own hands, with no capital advanced by their landlords, but done solely by the tenants with their own labour and the little savings from the earnings they might have got by harvesting in England and elsewhere; and, said Mr. Kettle, the moment they had by their exertions created property in a rude way and made the land furnish a crop, the landlords raised their rents, so that rather than that one class should live, the land was put waste again, not contributing its share of Imperial taxation, escaping what might be its burden of local taxation, and driving men to starvation and misery who were willing to earn an honest livelihood. No wonder they had Land Leagues and agrarian crime in Ireland. The bog lands themselves, it was shown, might be dealt with, and that was why, in his Motion, he preferred, as well for the bog lands of Ireland as of others, that where large drainage works were necessary to insure cultivation the Local Authorities should have power to raise money, and do that which the individual could not do by himself. As an illustration of what might be done in the reclamation of waste land, he might instance the case of Penstraze Moor, in Cornwall, which in 10 years had been converted from

moorland into productive land, maintaining a considerable number of families, with cottages and flower and fruit gardens. The landlord, prior to his letting the land, got nothing whatever for it; but during the 10 years he had received from the willing tenants £1,084 in fine renewals which they were willing to pay, but which they ought not to have paid. He was pressing this upon the House because, sooner or later, the country would have come face to face with this question. The Land Question of this country would be the battle question of this country. It might be made a peaceful battle-ground if Gentlemen of large property on both sides of the House would understand that by small concessions they might grow richer as well as enrich the poor; and if they made none the crash would come which the wisest would be unable to prevent, and which would carry ruin on all sides. Taking the evidence as to England, Wales, and Ireland together, he estimated that there were 11,000,000 acres of cultivable land in these countries. He would not try and reckon the land of Scotland, because he could not do it with any considerable accuracy. The witnesses spoke of "immense tracts of land" lying uncultivated, and he admitted that a good deal of this land was at such a level above the sea as practically to make cultivation impossible. Still, there were many ways of utilizing the utilizable, if people were not too careful of themselves and too careless of the misery round about. One Selkirkshire farmer explained why waste cultivation did not prosper in Scotland. He had tried to reclaim some waste. He built a wall and drained the land, and then the landlord determined the tenancy and allowed him nothing for the improvement. As mischief had been made in Ireland by harsh, brutally harsh, action on the part of landlords, so mischief was being made in Scotland now; and to deal with it in small pieces of legislation here and there, when they might give the people the opportunity of dealing with it themselves in a way that would make them peaceable, contented, and happy—to deal with it by repression or armed force, when they might deal with it by enabling them to dig and plant—he maintained was a most unwise course, unless they wished to provoke conflict. He proposed that the House should decide that the Local Authorities should have power compulsorily to take away from the landowner land which he had not cultivated; that the land so taken away should be given to the tenant and cultivated for a limited term, with power on the part of the tenant to renew the tenancy on his showing that he had improved the land in his cultivation. To encourage increased cultivation and industry he would give a longer term at the same rental for every percentage of improvement the tenant had made. Where a man knew that he tilled the land for his own benefit the crop came richer to him. There was an energy in his cultivation of the land which no mere hired labour could produce. He maintained that this was no revolutionary measure. It was a measure which would give employment to the unemployed, make thrifty those who had now nothing to save, reduce the poor rates by putting fewer people with less claim upon them, and increase the purchasing power of every artizan's wage. This was no mere Land Question; it was a trade question as well. Employers of labour were coming face to face with terrible struggles. We, in this country, however, might say with pride that the men who had struck for higher wages since education had become more common and literature more cheap had become more patient, more law-abiding than any other people in the world. He would take as an illustration the recent strike in Northumberland. There had been no riot, disorder, or mischief; but there had been much hunger and misery. He intended to persevere with this Motion and to press it to a Division so that the people might judge between those who proposed employment for the unemployed which cost the Nation something, and those who proposed employment which cost the Nation nothing, but which brought money into the National purse. The Government and its Supporters proposed huge works of relief, costing millions of money; he, on the other hand, proposed works all over the country which paid their own profit. But he might be asked, "How can you expect produce to be reared here when you cannot compete with foreign produce now?" He had already tried to remove one of the difficulties which had handicapped this country against foreign competition in

relation to market and dairy produce by destroying the infamous system of tolls. He frankly admitted that in this he had the most potent assistance from Gentlemen opposite. He would ask those hon. Gentlemen on both sides of the House who were directors of large railways, and who represented the large interest of capital, to consider how much they impoverished the people here by giving favourable preferential rates to people far off, thereby starving and killing the labourer at our own doors. He would tell those who represented landed interests, whether they sat on the Government side of the House or on his own side, that it was no use relying upon old Statutes and old deeds—old Statutes made when land and force made the law. Hammer, spade, and loom had to be heard to-day; and if this House would not hearken to them now, they would make themselves heard in times of hunger and of misery.

MR. P. STANHOPE (Wednesbury) said, he rose to second the very conservative proposition of the hon. Member for Northampton (Mr. Bradlaugh). He (Mr. P. Stanhope) called it conservative, in the truest sense of the word, meaning as it did the gradual solution of the great land problem in such a rational and simple manner as might in time come to be accepted by the House. He desired, however, to speak on the Motion as it affected one branch of the subject. The Black Country, in which his constituency was situated, was the great centre of the iron industry of the Midland Counties. At one time it was a very fertile agricultural district, but owing to the action of mining and industrial operations it had become nearly a waste. Five hundred thousand people had to live a hard, painful, and weary life in this district; and, quite apart from the profitable character of the cultivation, he would urge in the interests of the happiness of the people, in the interests of their enjoyment, that it was desirable that some steps should be taken to put under the plough or the spade such plots and parcels of land as might be available for the purpose. In the Black Country there were 50,000 acres of waste land; and in Durham, North Yorkshire, and other mining districts there were thousands of acres lying waste. The original system under which the mines in this particular district were developed was by the landlord giving a lease to some person to get the coal or the mineral under the surface. Generally there was a condition in the lease that the surface of the land should be restored to cultivation after the mineral had been obtained, or in default a fine to be paid to the landlord. In the majority of instances the worker of the mine had preferred to pay the fine to the landlord, who, instead of using it for the purpose of restoring the surface of his property, had pocketed the money and kept the land in an uncultivated state. The result had been prejudicial to the population of the district, who could not, like the more fortunate landlord, migrate to more fertile places; and he would like to see the Local Authority empowered to compulsorily take over land surrounding these districts on equitable conditions and enabled to let it out in times of depression for the purpose of affording some means of subsistence to struggling families. There were a large number of cases, some of which he would quote to the House, where these lands had been restored either to cultivation or to the purposes of enjoyment. The House might be inclined to think that the plan suggested in the Motion possessed no possible means of profit. But in a district with which he was acquainted there were no less than 2,500 acres of mining waste which, though unprofitable at the present time, might under some power conferred on the Local Authority be restored, if not for the purposes of cultivation, at all events for purposes of recreation in which direction this sort of land had been successfully utilized, and the borough surveyor in that district said with regard to cultivable land now land now lying waste in these localities—

> "I am bound to confess that where there has been a failure to make the land yield a profit by small tenants, it is due to the enormously exaggerated value which is placed on the land by the owners in the shape of rent."

The proposition of his hon. Friend was made for the purpose of avoiding the exaction of these high rents. Its object was that the Local Authority should step in between indolent and exacting landlords and those who on fair conditions were eager to become their tenants, and afford them facilities for cultivating

land which was at present useless and unprofitable. In this time of distress the poor rate was enormous, and the whole of it fell upon the poorer class, and the great proprietors of land, who had worked out hundreds of thousands of pounds from the land, did not contribute one farthing in poor rates to the support of the people whom they had attracted to these centres of industry. He thought that the proposition advanced by his hon. Friend was one which would be generally accepted by the country, if for the moment it were not adopted by the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, ownership of land should carry with it the duty of cultivation, and that in all cases where land capable of cultivation with profit, and not devoted to some purpose of public utility or enjoyment, is held in a waste or uncultivated state, the local authorities ought to have the power to compulsorily acquire such land by payment to the owner for a limited term of an annual sum not exceeding the then average net annual produce of the said lands in order that such local authorities may in their discretion let the said lands to tenant cultivators, with such conditions as to term of tenancy, rent, reclamation, drainage, and cultivation respectively as shall afford reasonable encouragement, opportunities, facilities, and security for the due cultivation and development of the said land,"—(*Mr. Bradlaugh,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHAPLIN (Lincolnshire, Sleaford) said, the hon. Member for Northampton commenced his speech with an appeal to the House to treat his Motion as a serious question, and he was not altogether indisposed to accede to that appeal of the hon. Member for Northampton (Mr. Bradlaugh), who, he frankly acknowledged, had, in the course of his observations, dealt with a variety of subjects the importance of which could not be overrated. He could not, however, help noticing the great discrepancy which existed between the Motion before the House and the views expressed by the hon. Member for Wednesbury (Mr. P. Stanhope) who seconded it, for while the Motion, so far as he understood it, was limited to the acquisition by the Local Authority of land lying waste and uncultivated, the seconder went a great deal further—namely, that the Local Authority should be enabled to step in between indolent and exacting landlords and their tenants and reduce the rents. He would, however, have the two hon. Gentlemen to reconcile their views. According to the main contention of the hon. Member for Northampton, the ownership of land carried with it the duty of cultivation. Not only did it carry with it the duty of cultivation, but also the practice, unless there were some very good reasons to the contrary. It was an unfortunate fact that there were thousands of acres now lying out of cultivation, and the process was continuing. But why? Because, unfortunately, it had been found that to cultivate did not pay. No man, however, would let land lie idle of his own free will and desire, unless he were a lunatic. The fact of the matter was that it cost more to cultivate land than its produce realized. What was the hon. Member's remedy for all this? He said—"Give the Local Authority powers to acquire this land by compulsion. Let them buy it out of the Public Funds and let it out to new tenants." But why should the new tenants be able to make the land pay any better than the old? Did he understand the hon. Member to contemplate that no rent was to be paid for that land in the future? If that were so, how was the interest upon the purchase-money to be paid? If the land was to be taken by compulsion, without any purchase-money being paid, we should indeed have arrived at a new development in the doctrine of public plunder. The hon. Member spoke of heavy rents having been charged, and of tenants' improvements having been unjustly and unfairly confiscated by the landlords; but, surely, the hon. Member was sufficiently a master of this question to know that the confiscation of improvements by a landlord was not possible at the present day; and that every tenant who made improvements on his land did receive compensation for them, and, moreover, could claim compensation by law. The hon. Member also gave a definition of what he called cultivation and profit. He said that he meant by cultivation that which would give life to the person who cultivated, and any margin would be profit; and he spoke of 12,000,000 of acres in the United Kingdom which might be cultivated with profit. Where

did those 12,000,000 acres come from? With all respect for the hon. Member, until he heard a further and more complete elucidation of his views upon the subject, he would be very much disposed to question the fact of anything approaching that number of acres being uncultivated at the present time. His objection to the Motion was that it was not only abstract, but also vague in the extreme. The principle of the Motion was that subject to certain conditions, where land was in a waste or an uncultivated state, the Local Authorities ought to be armed with compulsory power to take those lands. To the broad principle that for the public good land might be taken by compulsion he had no opposition to offer, but it must be proved to be for the public good, and he did not think the hon. Member had shown that to be the case on the present occasion. Again, compensation must be given to those people from whom the land was compulsorily taken. The hon. Member defined the compensation which would be given to many persons, and it would be something of this kind. The only payment made to the owners would be for a limited number of years an annual sum, which was absolutely nothing at all. One of the hon. Member's conditions was that the land must be capable of cultivation with profit. If the description of cultivable land given by the hon. Member—"utilization affording employment and realizing a profit"—were adhered to it would be found that very little of the land of the country would come within the scope of this Motion——

MR. BRADLAUGH said, that his definition was land which would leave any surplus whatever after providing life for the labourer and reimbursing with interest any capital invested in securing such cultivation.

MR. CHAPLIN: Quite so; but whether land was cultivable to that extent or not could only be proved by trial, and in such a trial he did not think public money should be expended. Then, again, what did the hon. Member mean by waste land? Did the hon. Member propose to exclude grass land? Would he exclude land which, as the phrase went, laid itself down to grass? Did he exclude gardens and parks? Did he exclude land which had gone back to rabbits? These were all questions deserving of answer and of some consideration from the hon. Member. Again, take the case of the Highlands of Scotland. Some parts of those Highlands were capable of cultivation, but other parts were not. He knew instances of enormous reclamations being made. Perhaps the hon. Member might say that this land was capable of being cultivated with profit and ought to be acquired by the Local Authorities, and paid for out of Public Funds. He might remark, however, that in many cases these reclamations had been enormous losses. Then, what did the hon. Member say about deer forests? According to his view deer forests did fulfil the hon. Member's conditions of cultivation by which they would be excluded from the operation of his scheme. They did afford employment, and they did produce a profit. He wanted to know on what grounds the hon. Member was going to dictate to persons whose capital was invested in land unless he intended to apply the same principle to those whose capital was invested in trades and manufactures. He recognized the difficulties of the situation quite as much as the hon. Member for Northampton, and he desired to meet the hon. Gentleman, and all who entertained similar views, in the spirit in which he appealed to hon. Members who sat on the Ministerial side of the House. If there were one thing which he desired to see more than another it was that there should be a large addition to the number of owners of land in this country. He wished to see more land brought into cultivation, but he was afraid we could only look for that to some future improvement in the prices of produce. Hon. Members opposite should remember the growth of mechanical science was such that to-day we—with our old and partially worn-out soil—had to compete on practically equal terms with the vast and fertile wheat fields of the far West of America aad the boundless plains of India. This was a fact that accounted to a great extent for the state of things which they all, equally with the hon. Member, deplored, and which Parliament and the country would have to look honestly in the face. It was not for him to-night to state by what means a remedy could be found, but it was his firm belief, if the Motion of the hon. Member were given

practical effect to, it would only add to and increase our existing difficulties, and it was for this reason that he hoped it would be rejected by the House.

MR. J. W. BARCLAY (Forfarshire) said, not only did he sympathize with the Resolution of the hon. Member for Northampton (Mr. Bradlaugh), but he agreed with almost everything that had fallen from him. The central principle of the Resolution he presumed to be this—that the ownership of land carried with it the duty of cultivation. That was the principle which the hon. Member asked the House to affirm, and it would remain afterwards for the House to determine the best means of giving practical effect to the principle. The cause of land going out of cultivation was in a great measure due to the conditions landlords attached to cultivation. A large portion of the land now considered to be uncultivable could be made so. There were thousands of acres which did not now yield 6*d.* an acre which might be cultivated to pay at least 2*s.* 6*d.* an acre by industry under changed conditions. He had in his own experience seen small holdings on the hillsides of Scotland that had been reclaimed exclusively at the cost of the holders themselves; and in almost every case—he was sorry to say he did not know any exception—at the end of the lease the landlord had exacted something like 15*s.* an acre, the full value of the land, from the man who had given it that value. The right hon. Member for Lincolnshire (Mr. Chaplin) said farmers were now fully protected by the Agricultural Holdings Act. But such was by no means the case. He, unfortunately for himself, had reclaimed 250 acres of land at his own expense. Before reclamation the land was valueless, and the landlord had spent nothing. At the end of the lease he had to go out without receiving a farthing of compensation. He did not complain of this, because he made the bargain; but so long as the present system remained he was not disposed to renew the experiment, and such examples did not encourage others. Given a free hand and perpetuity of tenure, he believed a large proportion of the land now considered uncultivable would be cultivated with profit to the cultivators and with great advantage to the nation. He would urge owners of land to consider carefully their present position, and to accept some such proposal as that of the hon. Member. He was not prepared to deal with properties so hardly as his hon. Friend; but he thought that for land which an owner was not receiving 6*d.* an acre, from 1*s.* to 2*s.* 6*d.* per acre would be a good price to pay him for it. Small patches of land would be highly prized by labourers to eke out their wages. As the question of deer forests had been raised by the right hon. Gentleman opposite, he would say that he believed the practice in Scotland had actually deteriorated the land; and instead of doing anything to increase the wealth of the country, the practice of afforesting had diminished it. Fewer men were employed, and until late years a smaller return was produced. He inquired into the circumstances of one deer forest in particular. He was sure it would have been far more profitably turned to sheep farming at that time. It was impracticable to carry on farming under the present system of tenure. The Motion of the hon. Gentleman was directed more to small holdings, and that was the direction in which the cultivation of the country in the future must proceed. He did not believe there would be much recovery from the present depression until they succeeded in inducing a larger proportion of the population to settle on the land, and relieve the congestion of large towns. By this means they would increase cultivation, and add generally to the welfare of the community.

MR. C. W. GRAY (Essex, Maldon) said, he thought if the hon. Member for Northampton (Mr. Bradlaugh), who made the Motion, had visited the Eastern Counties, and seen the state of things there, he would have put the Motion in a different way, for he would have found there was no great desire on the part of the agricultural labourers to occupy land other than garden ground, because they knew that to farm the land at the present agricultural prices meant that their remuneration would not be so good as what they now received for their labour. There was nothing easier than to put the theory of the hon. Member for Northampton to the test. There were thousands of acres in East Anglia which could be bought for less money than it had cost the owners to erect the buildings and effect the existing improvements upon

them. And of all classes of farmers the yeomen had suffered most. He was one himself; and though he would not detail his own sufferings to the House, he could assure them that this class of farmers was hard pushed to make both ends meet. He could hardly accept the statement that there were 12,000,000 acres of land out of cultivation; but, unfortunately, large quantities of land were becoming more and more unprofitable, and, until prices improved, he saw no hope of a better state of things.

MR. HALDANE (Haddington) said, his complaint of the Motion of his hon. Friend the Member for Northampton (Mr. Bradlaugh) was made on different grounds to that of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin). The right hon. Gentleman complained that the Motion was too vague and general in its terms; his complaint was that it was too specific. If his hon. Friend (Mr. Bradlaugh) had confined himself to the assertion that the State had a right, when necessary for the well-being of the community, to step in and expropriate the owners of the soil at the market value, he should not object; but the hon. Member had chosen by this Motion to introduce a series of propositions, every one of which appeared to him to be legally unworkable, economically unsound, and morally unjust. In the first place, the hon. Member asserted that there was a duty of cultivation on the part of every owner of the soil. That was a very general proposition. There was a duty of cultivation under one set of circumstances, and one set of circumstances only, and that was in so far, and only in so far, as non-cultivation meant injury to the community in which the land was situated. If the proposition of the hon. Member had been qualified in that way he would so far have supported it. But the proposition of the hon. Member seemed to go further, and amount to this—that the Local Authority was to be entitled to speculate, for speculation it would be, at the expense of the ratepayers in land which might not yield an adequate return. Then in regard to the mode of payment proposed by the Motion, assuming that the case was one in which expropriation ought to be carried out, it was, in his opinion, the case that there were conditions of land tenure which were inconsistent with the welfare of the community; but that was a state of matters which had grown up under laws for which the Representatives of the people were responsible. They could not, consistently with the system on which the government of the country was carried out, take away property which was acquired on terms held out to the purchasers by the State of which they were members. If the Government had made a mistake in those terms, it would be perfectly right that the Government should come forward and buy out those who held the land to the prejudice of the community on fair marketable terms; but the persons to suffer must not be the individual owners who purchased on the authority of the State guarantee. The sufferer must be the State who made the mistake, and the taxpayer whom the State represented. He himself should like to see the Local Authorities in our towns and villages armed with powers which would enable them to acquire such land as was necessary for the development and proper increase of those towns and villages, and to acquire such land on other than ransom or speculative terms. It ought to be possible to purchase land wanted for that purpose upon such terms as would be fixed for a Railway Company by a valuer in an ordinary case, and subject to the qualification, as regards the future, which he would state. He recognized the justice of the proposal that the special unearned increment arising from the fact that the town or village was developing ought not to belong to the owner of the adjacent land; but the law had in the past given him that, and while it would be perfectly right and proper to declare that this special unearned increment, as distinguished from the general increment due to any general rise in the value of property, where it accrued in the future should belong to those who had created it, the State could not take it away from those to whom the law in the past had given it. Supposing that a man should, with a view to building on it, have allowed his land to lie waste, and that the net annual value was, in consequence, only 3*s.* 6*d.* per acre or less, would the hon. Member propose that nothing more should be given to the owner? What he said was, that in the future it would be perfectly fair to declare that a Local Authority

might buy land adjacent to a town or village necessary for its development on the terms he had indicated. In his opinion, the Motion, if carried and acted on, would lead to great injustice, and therefore he could not support it; but he was ready to vote for a Resolution affirming the right of the community to interfere with private ownership on good grounds, at a fitting time, and on proper terms.

MAJOR RASCH (Essex, S.E.) said, that the expression "land capable of cultivation with profit" begged the question. He wished to bring to the notice of the hon. Member for Northampton the fact that it was because land was incapable of cultivation at a profit that it went out of cultivation. In many parts of the county which he represented land was going out of cultivation because of the incidence of local taxation and of the tremendous stress of foreign competition. Would the hon. Member explain how waste land was to be cultivated at a profit when good land was going out of cultivation because it would not pay?

MR. BRADLAUGH: In the same way as Penstraze Moor was made to pay when land near it was alleged to have gone out of cultivation?

MAJOR RASCH said, he should like to know who was to pay for the amateur experiments in agriculture recommended by the hon. Member? The tenant-farmer certainly could not bear any increase of local taxation at a time when it cost 40*s.* a quarter to grow wheat which it was difficult to sell for 25*s.* a quarter. He questioned whether any good was likely to result from crude and abstract schemes, such as that of the hon. Member.

SIR WALTER FOSTER (Derby, Ilkeston) said, that the hon. Member for the Maldon Division of Essex had said that agricultural labourers were not anxious to obtain land; but, did not almost all hon. Members on the opposite side at the last Election state in their Election addresses that they were ready to give land to the labourers if they desired it? That showed they then thought that the labourers desired to obtain possession of land, as in fact they did, if they could get it at a moderate rent—that was to say, the same rent as was paid by the farmer. The fact was, that agricultural labourers could not get, at a moderate rent, the land which they were eager to cultivate in small plots. It was because he believed that the plan of the hon. Member for Northampton (Mr. Bradlaugh) would create an opening for these small cultivating occupiers of land that he thought it should have the support of those who were interested in the condition of the agricultural labourers. It was most unfortunate that we should now have millions of acres of uncultivated land, which was intended to be cultivated and to grow food. No one who looked at these millions of acres growing nothing but weeds, could help thinking that there must be something wrong with the legislation of a country which allowed land to go out of cultivation, when the labourers of the counties in which this land was situated were anxious to obtain land, but were not able to do so. He believed that the proposal before them, if it received the sanction of the House, would promote the establishment of allotments all over the country, which was most desirable. We had now an agricultural population which was fast disappearing from the country. Some 30,000 people migrated annually from the rural districts to our large towns or to foreign lands. That was not satisfactory. It flooded the labour market in the towns and destroyed the peasantry which was once the strength, and should be the pride, of the country. He wished to see these people attracted back again to the rural districts, and he believed that this would be the case if they could obtain plots to cultivate. Every acre of land cultivated by such small holders would add to the food production and the wealth of the country. We spent some £24,000,000 a-year in buying eggs, butter, cheese, and potatoes, and such produce, from foreign countries. Surely these things might be produced here as well as across the sea. [*Cries of* "No!"] At all events, hens in this country ought to be as profitable as hens in any other country. The agricultural labourers should be allowed to try the experiment of raising poultry and vegetables. The right hon. Member (Mr. Chaplin) had said that this question should be settled by experiment. Well, all that the supporters of the Resolution asked was that it should be settled by experiment, and

that to that end the Local Authorities, who were not likely to abuse or make a foolish use of the powers with which they were entrusted, should be authorized to acquire land for the purpose of letting it to small occupiers for the purpose of cultivation.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, that in the absence of the noble Lord the Chancellor of the Duchy of Lancaster (Lord John Manners) he had been asked to say a few words in answer to this Resolution. Before he passed to the terms of that Resolution and the words with which the hon. Member for Northampton (Mr. Bradlaugh) had introduced it, he would like to say one word on the speech to which they had just listened. It was most extraordinary that many hon. Members who professed to take an interest in the Land Question should day after day, and year after year repeat assertions as to the demands of the labourers for land not being satisfied, in spite of the figures and facts shown in the Agricultural Returns. While he did not for a moment assert that the system was perfect, or deny that there were cases here and there where difficulty exists, he distinctly affirmed that in nine out of 10 cases where labourers wanted allotments and where the land was suitable they could get them, and at a fair rent. He admitted that there had been a time when there had been difficulty, and even now there were such cases; but they hoped that that want would be satisfied very shortly, and the demand was not sufficiently great to justify the adoption of this Motion, which, he thought, was of a revolutionary nature, and hardly showed the ability and great common sense which usually distinguished the hon. Member for Northampton. The hon. Member invited the House, first of all, to affirm that it was the duty of landowners and occupiers to cultivate their land. It was their duty, and they had been endeavouring to carry it out. The proposal of the hon. Member was that owners and occupiers of land should be left in possession of all the good land; but that their bad land should be taken from them and handed over to an unfortunate class of people. That, in his (Mr. Long's) opinion, was a proposal very favourable to the landlord. As the hon. and learned Member for Haddington (Mr. Haldane) had pointed out it was the ratepayers who would unquestionably suffer. With regard to the question of the amount of land under cultivation of all kinds, he would point out that in England and Scotland there was an absolute increase. In Ireland, it was true, there was a decrease; but he thought that the House would hardly expect him to discuss the painful subject of how that had been brought about, inasmuch as causes other than bad times and agricultural distress had had much to do with that state of things in the Sister Isle. Last year the hon. Member for Northampton had brought in a Bill even more hostile to the landlords than his present proposals. In that Bill it had been proposed to subject the landlord to certain penalties, and the hon. Member had justified his proposition by telling the House what happened in China.

MR. BRADLAUGH said, that while it was true that the Bill had proposed to make non-cultivation a misdemeanour, the only penalty which he imposed was compulsory expropriation.

MR. LONG said, that while this Resolution did not go so far as the hon. Member's Bill of last year, it went further than he thought the House would venture to go, and further than the Government would ever dream of asking them to go. The hon. Member for Northampton had referred to the case of a moor in Cornwall which had been reclaimed to a certain extent, and upon which the condition of the people was satisfactory. On the other hand, in the Agricultural Returns for 1886 hon. Members would see that in Sutherland 7,000 acres which had been brought under cultivation by the Duke of Sutherland at enormous expense and with the greatest skill and industry had gone out of cultivation, and were now classed as mountain land. In the case of the moor mentioned by the hon. Member there had been particularly favourable conditions, such as a supply of stone for building cottages.

MR. BRADLAUGH said, that there were six inches of shale on the surface.

MR. LONG said, he believed that there had been stone which had proved useful for building purposes. But surely it was not enough to show that there had been one or two or three successful cases in order to justify calling

upon the House to say that a man should cultivate all his land or have it taken away from him, and that the Local Authority should be saddled with the unfortunate position of being landlords. There was already great complaint as to the burden of local rates, and yet the hon. Member proposed that the ratepayers should bear the expense of experiments of this nature, merely because here and there there were to be found men who wanted allotments and could not get them. If it could be shown that the passing of a law of such a nature could reduce the poor rates and pauperism and maintain unfortunate people who had now to find their way to the workhouse, that would be a much better reason to bring before the House, though even then such a proposal would have to be approached with very great caution, but he did not believe that such a state of things would be realized. The hon. Member for Northampton had told them that even a labourer was not allowed to let his labour go to waste. What was really the case was that a man was not allowed to run away and leave his wife and children responsible to the district. As long as he took them with him he was free to do the best he could for himself. But he was authorized to say that it would be impossible for the Government to accept, and he believed it would be a long time before the House would accept, such a proposition as that of the hon. Member for Northampton. The hon. Member had warned them of what might happen. Well, it was his (Mr. Long's) hope and belief that Parliament would give its time to furthering the cause of agriculture and the products of land; but he could not believe that they would do any good to the agricultural classes or the working classes generally, who had been so frequently mentioned in the debate, by passing a Resolution of this kind, which proposed to give them the waste land of the country and call upon them to cultivate it, remembering all the time that if they failed to cultivate and loss ensued the burden would fall upon the ratepayers. For these reasons the Government could not accept the Motion.

DR. CLARK (Caithness) said, he repudiated the idea that the cultivation by small holders in Sutherlandshire could not succeed, and that the land had fallen out of cultivation because it would not pay. He admitted that it did not pay the big farmers, owing to the competition of the sportsmen; but he contended that if the land were given to the small farmers, who, with their families, would labour on it, they would make it pay, and turn it into a smiling garden. There were thousands of people in Sutherlandshire who would gladly cultivate the land, and pay a fair rent for it, if they had the opportunity; but they could not compete with the Duke of Westminster, who had a gold mine here in London to work upon. There was in the Highlands a condition of affairs which was very serious. There were many men who were going about idle because they could not get the land to cultivate they wished; and there were congested districts where the people were degenerating into paupers for want of land upon which to put their labour. That was the case in Caithness as well as in Sutherland. The people were willing to pay a fair rent for the land or to buy it. Arrangements must be made in the congested districts either for these people migrating to the lands at present uncultivated, but which were cultivable, or for their emigrating.

MR. LONG: The case referred to was a well known one, and was in no way caused by the pressure of the Duke of Westminster—it was purely the result of trying to reclaim impossible land.

MR. PICKERSGILL (Bethnal Green, S.W.) said, he felt it his duty to challenge the statement of the Secretary to the Local Government Board (Mr. Long) that labourers did not want allotments. As a proof to the contrary, he would refer the hon. Gentleman to the Earl of Onslow's book on *Labourers' Allotments*, in order to show that the reason was that labourers who had allotments were charged a higher rent for them than the farmers were for the same quantity of land. The fact was, he said, that great landlords were guilty of the meanness of making a profit out of the thrift of the labourers, and then hon. Members came down to the House and coolly told them that labourers did not want the land.

Question put.

The House *divided*:—Ayes 97; Noes 173: Majority 76.—(Div. List, No. 279.)

[7.15 P.M.]

Main Question, "That Mr. Speaker do now leave the Chair," again proposed.

RURAL SANITARY DISTRICTS—LOCAL RATES ASSESSMENT—RATING OF DEMESNES, MANSIONS, AND PARKS.

OBSERVATIONS.

MR. CONYBEARE (Cornwall, Camborne), who had the following Notice on the Paper:—

"That, in the opinion of this House, the present mode of assessment for local rates of mansions, demesnes, and parks in the rural sanitary districts is based upon a principle which is radically unsound and unjust; that the Local Assessment Committees, being usually composed of persons dependent upon those whose assessments they have to revise, frequently cannot or will not raise the assessments when they should do so, while the only appeal from their decisions is to the Quarter Sessions, consisting of the owners themselves; that the lettable value is, as a rule, a purely fictitious figure, and affords no real test of the true rateable value; that as a consequence of the foregoing the wealthy owners of mansions, parks, and demesnes are enabled to evade their just share of the local burdens, which therefore fall with increased weight upon the less wealthy classes of ratepayers—namely, the farmers and shopkeepers; that in any readjustment of the burdens of local taxation it is essential to provide—(1.) For a more effective and independent authority for fixing the assessments to local rates; (2.) for a more equitable basis on which such assessments shall be made; and that with a view to such readjustment, it is desirable that a full and complete return should be made, showing amongst other particulars the capital and rateable values of such mansions, parks, and demesnes, and the proportion of local rates to which they are subject, as compared with the rating of shops and farms,"

said, he believed it was useless to try and redress the anomalies and the irregularities complained of, until the establishment of a more satisfactory system of local government in the counties. At the same time, it was not perhaps entirely useless to call the attention of the Legislature and the public to some of the grievances connected with the subject of his Amendment. He contended, as specified in his Notice, that the local assessment committees, being usually composed of persons dependent upon those whose assessments they had to revise, frequently would not, or could not, raise the assessments when they should do so, while the only appeal from their decisions was to the Quarter Sessions, of which body the owners themselves were members. The lettable value was a purely fictitious figure and afforded no real test of the true rateable value, owing to the fact that many of these mansions had never been let. Consequently, the great complaint was, that the wealthy owners of mansions, parks, and demesnes were enabled to evade their just share of the local burdens, which fell with increased weight upon the less wealthy class of ratepayers, such as farmers and shopkeepers in the country districts. The system of assessing these properties was as unsatisfactory as the basis of valuation was unfair. In the first place, the local assessment committee which fixed the valuation was not sufficiently independent, and those whose property was assessed had the right of appeal not to any independent and impartial tribunal, but to the owners themselves. That the evil existed there could be no doubt. It was not desirable or necessary at that moment to elaborate any new method to displace the old at the present time, and, indeed, his contention was that before they could be in a position to define what actually was necessary, assuming for the moment that they should take any practical steps at all apart from a thorough system of local government reform, there were two things it was essential to provide for—first, a more effective and independent authority for fixing the assessments to local taxation; and, second, a more equitable basis on which assessment should be made. With a view to a readjustment he contended that it was further desirable that a full and complete Return should be made, showing, among other particulars, the capital and rateable values of mansions, parks, and demesnes, and the proportion of local rates to which they were subject as compared with shops and farms. He had made application for a Return embodying some of this information; but it had been refused, and therefore he thought he was entitled to trespass upon the time of the House, and to place those facts before it. He complained incidentally that the proprietors of these great properties were not only rated much lower than they ought to be, but that when they came to reside in the country they obtained their goods from the Stores in London, and the local dealers were passed over. All he desired was, to ascertain the actual facts, and if those principally concerned were not ashamed of the present condition of things, and the way in which the law worked, then there could be no possible objection to granting such

Returns, without which it was impossible to propose any definite reform. There was a great disparity between the assessment and the capital value of country mansions, and he could cite a number of cases of unequal rating as between farms and shops and large mansions and castles. For instance, Floors Castle, belonging to the Duke of Roxburghe, was assessed at £350; Drumlanrig, belonging to the Duke of Buccleuch, and Taymouth Castle, belonging to the Marquess of Breadalbane, were each assessed at £300; and Culzean, belonging to the Marquess of Ailsa, was assessed at £150. Coming to Cornwall, he would refer to the case of Carnanton, which was rated at £70, and the capital value of which he believed was something like £50,000; of Treliske, a magnificent house rated at £80; Tregothnan, rated at £300, the capital value of which was estimated at from £100,000 to £150,000; and Glendorgal, which was rated at £85, the capital value of which he believed to be about £15,000. Indeed, Lord Falmouth's house at Tregothnan afforded a good instance of the unfairness of the present system of assessment. The capital value of that mansion, as he had already said, was probably not less than £150,000; but the assessment was only £300. Why, there was a farm on his Lordship's estate, the capital value of which was about £7,000, and the assessment was actually £250, or only £50 less than that of Lord Falmouth, though the latter's house and grounds were 20 times as valuable as the farm. Lord Falmouth had recently demanded an additional £100 a-year from this farmer, who was one of the most skilful in the neighbourhood and had occupied the farm for many years. The farmer, however, preferred to leave, rather than to pay the increased rent; but if he had paid it, his assessment would no doubt have approximated still more closely to that of his landlord. He would also ask the attention of hon. Members to the injustice of the non-rating of woodlands, which if not rightly subject to permanent rating, should be made so, at least in the years when the timber was drawn away over roads maintained out of rates to which timber value did not contribute. He had received many letters from poor persons, complaining of the pressure of rates which they were obliged to pay in the rents of their small rooms, while the owners of large mansions practically escape rating. In all these matters of taxation they should seek to place the heaviest burdens upon the shoulders of those most capable of bearing them. He thought, however, he had sufficiently shown that the present basis of assessment was extremely unsatisfactory and unfair; and though he had not sufficient knowledge and experience to define with accuracy the principles on which assessments should be regulated, he would venture to suggest it would not be unfair that an assessment upon one-thirtieth, or 3 per cent on the capital value, would afford a reasonable basis and do much to remedy the enormous disproportion which existed at present. He had no wish to set class against class, or to persuade the poor that they ought to have something which belonged to the rich; but, so far as abuse and injustice existed, it was material to the social welfare of the country that the matter should be looked into with great care and little delay, in order that the growing feeling of discontent might be set at rest.

MR. ISAACS (Newington, Walworth) said, he thought the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) would have had more sympathy from the House if he had avoided in his Motion casting reflections upon two sets of public servants—the Local Assessment Committees and the Justices of Quarter Sessions. Such reflections, in his judgment and experience, were not deserved. The hon. Member complained that the local assessment of mansions, demesnes, and parks in several parts of the country bore no reference whatever to the capital value of the estate. Capital value in this case would mean the cost, first, of the land, and, secondly, of the buildings erected thereupon. But when they came to a question of assessment, cost was not a fair mode of proceeding to arrive at the assessable value. Not only did it not apply to the great mansions of the nobility over England and Scotland, but it did not apply in places in London and places near London, where the cost of the structure could not be allowed to be considered, and had not been considered, in the rateable value assigned to it by the Local Authority. A thing was worth just what it would fetch, and the best

test of value in regard to demesnes and mansions they could have would be the fact that they were offered in the market at prices which were simply ridiculous in relation to the cost, first, of the demesne, and, secondly, of the mansion. He (Mr. Isaacs) submitted that this was not the time when a question of this character should be raised. Agricultural depression had fallen with crushing effect, not only upon the tillers, but the owners of land; and it was notorious that the grand old country mansions of the landed gentry were tenantless, simply because the owners could not afford to live in them themselves nor find tenants for them. Speaking of capital value, hon. Members must entirely obliterate from their minds, when dealing with a large mansion, anything like the cost. The cost, in many instances, was not subject to assessment. For instance, if he were to build a mansion with Sicilian marble staircases, the Assessment Committee would make a great mistake if they thought they could get him to pay an increased assessment. It had been held that a mere architectural feature in the construction of a house was not subject to assessment; so that if they took away the architectural adornments of historic mansions, and left practically the bare walls, a totally different figure in respect of rateable value was reached from that of the original cost, which was not a fair subject for assessment. A hard-and-fast line could not be drawn; the assessment must depend on the attendant and surrounding circumstances of the object to be assessed. The ruling consideration ought to be—"What is the thing worth; what is its natural value in the open market?"

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the Government might well be content to leave the discussion as it stood after the speech of his hon. Friend the Member for the Walworth Division of Newington (Mr. Isaacs), who had given as complete an answer as it was possible to give to the case submitted by the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare.) He had no complaint to make against the hon. Member for having brought the subject before the House. It was a matter of considerable importance which had engaged the attention of Parliament more than once without leading to any practical result; and even now the hon. Member himself did not seem to be hopeful that the discussion he had initiated would be of any practical value. From the appearance of the Benches also, when the hon. Member was speaking, the House seemed to be very much of the same opinion. The hon. Member had spoken of Protection. Protection had been advocated by certain people as one of the remedies for agricultural distress; but he had never heard of the sovereign remedy which the hon. Member had brought forward as being an important factor in the solution of the question of agricultural distress. The hon. Member seemed to think that the cause of it lay in the fact, as he contended, mansions were not sufficiently rated. The heavier rating of these mansions was the hon. Member's remedy for the agricultural depression. Very few were likely to agree with him in that proposition as a remedy for agricultural distress generally, or for the fall of prices. He trusted that, in all the circumstances, the hon. Member would not think him wanting in courtesy if he did not unnecessarily prolong the discussion. He (Mr. Ritchie) was not prepared himself to say that the present mode of rating mansions was altogether satisfactory; but he was prepared to say that it had not yet been shown that any other method would be more satisfactory. It would obviously be undesirable that this kind of property should be assessed on a different principle to other kinds of property. As to the complaint that the assessments were quite out of proportion to the cost of building, the actual cost of building was an eminently unsatisfactory basis on which to rate mansions, because a very large sum might be spent on the adornment which really did not add to the letting value. Indeed, he would go so far as to say that large expenditure in building actually detracted from the letting value of a house. If mansions were assessed at anything like the cost of building the result would be that they would remain altogether unoccupied. Some of those mansions had been erected at one time or another at enormous cost, and if the hon. Member's principle of assessment were to be applied to them the result would be that the rates would be so heavy that it would be impossible for

the owners or anybody else to occupy them. It would be a great misfortune if the owners were driven from the occupation of their houses by the weight of rates, and if the localities were to lose the benefit which was always derived from the presence of great landed proprietors living on their properties. The letting value of the mansion was, it seemed to him, determined by what a tenant would give for it—not by what it had cost, and great cost in structure and ornamentation would rather deter persons from taking such places than attract them. As an instance, he referred to the mansion erected by Baron Grant, which no one would buy or rent, and which had to be pulled down. He was bound to say that he felt sorry at the terms of the hon. Gentleman's Motion, which cast considerable reflection on both the Assessment Committees and Quarter Sessions. These Assessment Committees were drawn from the whole of the Union, which in many cases was very extensive, and he did not see how any case of dependence could be made out such as was suggested by the hon. Member. These bodies were not at all open to any such reflection. And what he said of the Assessment Committees he would also say of Quarter Sessions. He had never before heard it urged that there was the slightest reason to suppose that the members of Quarter Sessions were not absolutely impartial. Whatever tribunal we erected in their place, we should never get a more economical or more impartial administration for the work they had to do than the Quarter Sessions. At the same time he was prepared to admit that the Government desired to deal with this question at no great distance of time, and in a manner which he hoped would be satisfactory to the House and to the country. He wished now to say a few words with reference to the last part of the hon. Member's Motion as to the obtaining of a Return, which had appeared on the Paper for a considerable time in the name of the hon. Gentleman. He had no objection to give to the House whatever information was in the possession of the Local Government Board that was of a kind sufficiently accurate to form a guide to the deliberations of the House, or that could be given at anything like a fair cost to the country. The hon. Member had spoken of this Return as being a very simple one, but he could assure him that it was not of such a character. The hon. Member wanted to ascertain the number and names of all mansions, the assessment of which amounted to £30 and upwards. But the hon. Member did not explain what he meant by the word "mansions." He felt sure that the hon. Member must acknowledge that that at the outset presented considerable difficulty. It would be necessary to get these Returns from 10,000 parishes in the country, and the only available officers to supply the information were the overseers, who were in no way subject to the control of the Local Government Board, and who would, of course, have to be paid for their trouble. The hon. Member wanted to know the capital value of these mansions, and in order to get that information it would be necessary to employ an army of surveyors at an enormous cost. Besides, the hon. Member wanted also to ascertain the rateable value. He took it that what the hon. Member meant was that they were to ascertain, not what rates were in the books, but what the rateable value ought to be. It would be with anything but a light heart that he should enter upon such an inquiry. His own opinion was that it was desirable that the existing state of things should be inquired into locally by the local officials. The hon. Member had said that this was a matter connected with the Local Government Bill. He was getting positively alarmed at what was expected of the Board. It was expected that the Government would deal with the Licensing Laws, but the Government had never promised an absolute reform of the Licensing Laws. All that they had promised to do was to deal with the authority; they had never promised to deal with all the Licensing Laws. Then they were expected to deal with charities, and, in fact, every imaginable thing from Dan to Beersheba. He would throw out a warning to all and sundry that they must not expect every grievance under the sun to be remedied by the Local Government Board. However, the question of assessment was one which might be fairly considered in connection with that Bill, although he was afraid he could not promise to go very far upon the road indicated by the hon. Member. Yet he might fairly say that the question of

assessment had not been lost sight of, and that it might be dealt with in a Local Government Bill when they had an opportunity of introducing one. He had now laid before the House all the difficulties of the case. He had told the hon. Member the reasons which had actuated him in not giving the Return. He could assure the hon. Member that the Government considered the matter as being one of importance. They did not see any better mode of assessment than that now fixed by the law. At the same time, he was always open to consider whatever suggestions might be made to him by any hon. Member with reference to this question.

MR. HANDEL COSSHAM (Bristol, E.) said, he failed to see why people who lived in houses that cost an enormous sum of money should not bear their fair share of the rates. As long as the mansions of the country were rated at ridiculously low figures the demand would continue for a change in the principle on which the assessments were made. Under the present system the burden was very unequally distributed, and an undue portion of it was laid on the shoulders of the middle classes and the poor. He hoped that the Government would grant the inquiry for which his hon. Friend had made out so excellent a case.

PIERS AND HARBOURS (IRELAND)—HARBOUR ACCOMMODATION IN DONEGAL.—OBSERVATIONS.

MR. O'HEA (Donegal, W.) said, he had given Notice that he would call attention to the want of suitable pier and harbour accommodation on the western coast of Donegal, and to move—

"That it is desirable that better public provision be made in aid of the construction of piers and harbours in Western Donegal and in other parts of Ireland where the subsistence of the people derived from their ordinary agricultural pursuits is precarious."

He called attention to this matter last September, and the then Chancellor of the Exchequer (Lord Randolph Churchill) admitted that the matter was worthy of consideration and should engage the attention of Her Majesty's Government with a view to seeing what could be done. Since then, however, no steps had been taken by the Government to carry out works which were an absolute necessity. In his constituency in Western Donegal, at a place called Portnoo, a deal of money was spent by the Government in erecting a pier; but the Board of Works carried out their part in such a manner that the pier was erected in a disgraceful way—that it crumbled away, and it was now a mass of rubbish. By the expenditure of a little money a serviceable pier could be erected there. At Bunbeg harbour accommodation was greatly needed. There was abundance of fish off the coast, and if such accommodation were provided the people of these districts would be able to prosecute the fishing industry, which would open out a means of employment for large numbers of an industrious population who were at present compelled to remain inactive. The Irish Members had to bring forward these subjects again and again, and still nothing was done. He hoped to have some satisfactory answer from the Government, who had now a chance of engaging in a higher duty than that of coercing Ireland.

MR. P. J. POWER (Waterford, E.) said, that this question had been frequently before the House, and was, no doubt, irksome to the House; but it was still more irksome to the Irish Members. A definite promise had been made last September, but nothing had been done in fulfiment of that promise. Shoals of fish passed the shores of Donegal, but the people were unable to catch them because they could not use larger boats than open yawls, in which they could not venture to go far from the land. If the harbour accommodation were improved they would be able to go to sea in large fishing smacks, and to compete with the fisherman from England, the Isle of Man, and France. The money which was spent upon improvements by the Irish Board of Works was often disgracefully mis-spent. Two piers erected by the Board at a small sea coast village in Donegal had been successively swept away, whilst the people were now taxed in respect of the large sums which were thus wasted owing to the gross incompetency of the Board of Works. The industries of Ireland had, it was well known, been ruined by British legislation, and some restitution was therefore due to the Sister Island. The Government ought not to miss the opportunity which now presented itself. At a comparatively small outlay they could provide on the sea-board renumerative em-

ployment for a large section of the population.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he must at the outset observe that he could not hold out any great hope that the Government would be able to spend much public money in the construction of fishery harbours without the most careful preliminary consideration, and without the most satisfactory evidence that the expenditure would be justified. He might recall to the memory of hon. Members opposite that the Commission appointed last year was still pursuing its investigations. The Commissioners had quite recently made a tour of the whole Coast of Ireland, and their object was to find out what ought to be done, and how best to do it. Until that Commission had concluded its labours and issued its Report the Government could hardly be expected to make any large promises. The Government had, however, already shown that they were not blind to the claims of Donegal to improved harbour accommodation. Already, 58 works had been sanctioned in Ireland, at a total estimated expenditure of £235,089. Up to the March 31, 1886, between £80,000 and £90,000 had been spent out of a sum of £250,000 which was set aside not long ago for the construction of piers and harbours. In the Report of the Commissioners of Public Works for 1885-1886 it was pointed out that 20 out of the 58 works sanctioned were being constructed by day labour. This showed how ready the Commissioners of Public Works had been to recognize the difficulties of the particular districts to which attention had been called by hon. Members opposite. The very numerous works which were now being carried on showed that the question had not been neglected; but, as hon. Members knew, they were works which could not be carried on the whole of the year, and during a very large portion of it very little progress could be made. Then hon. Members themselves had confessed that the supply of harbours would not remove the causes of the difficulty, because the fishing was carried on by boats from England and the Isle of Man, and from time to time by French boats. He thought that hon. Members would hardly expect the Government to supply not only piers and harbours, but also boats which would live out at sea. The Government, however, were most anxious, as far as they could consistently with their duty to the taxpayers of the country, to promote the industries and the welfare of the people along the Coast of Ireland. The fact that £250,000 was to be spent was ample proof that the works were being carried on, and would not be neglected by the Government. He hoped that hon. Members, having discharged a very proper duty to their constituents in having called attention to these matters, would now allow the Government to proceed with Supply.

DR. KENNY (Cork, S.) said, the hon. Gentleman the Secretary to the Treasury had exactly proved their case. The English and other boats to which the hon. Gentleman had referred were thorough sea-going boats because they came from ports which admitted of such vessels being used. A precedent condition of having good boats was to have harbours to which they could run in very bad weather, and that was where the Coast of Ireland was deficient. These boats were able to run considerable distances to get to a good harbour. It was not so much the unwillingness of the Government to deal with this question that they had to complain of as the obstruction and incompetency of the Irish Board of Works, who refused to do anything to repair their own blunders. There had been a great waste of public money by the Board on piers and harbours all round the Coast of Ireland, of which striking examples were the harbours of Arklow and Howth, the latter of which was the greatest possible disgrace.

MR. CLANCY (Dublin Co., N.) said, that they constantly heard that the Government were willing to do all they could to assist the industries of Ireland; but nothing practical ever came of these professions. He would remind the House that the miserable sum of £250,000 which had been referred to was Irish money, having been taken from the Irish Church surplus. He submitted that in the Report of the Inspectors of Fisheries there was just as much information as could be obtained by the Commission now appointed. The plea that they should wait for the Report of the Commission was advanced nine months ago; but it need not apply to Howth Harbour, in which he was particularly interested, and in which the

right hon. and gallant Gentleman (Colonel King-Harman) once professed himself specially interested. With regard to that harbour, the Inspectors of Fisheries had reported after a sworn inquiry held on 20th October last. At that inquiry Judge Boyd was examined, a gentleman who, he thought, was open to severe criticism in some matters, but who certainly, to his credit, had always displayed during his residence at Howth the liveliest and most practical interest in the condition of the fishermen. Judge Boyd said that in certain parts of the harbour at low tide there were only five and a half feet of water, though the ordinary fishing boats drew at least eight feet, and these boats were, consequently, obliged to wait for the tide. The condition of the harbour prevented the entrance of the English steamers carrying buyers. This lowered the price of fish, and was a most direct injury to the fishermen. All that was wanted for the purpose of making Howth Harbour fit for its purpose was £5,000. He warned the Government that if they continued to ignore these practical grievances they would find the fishermen, who now pursued their avocation without giving any trouble, organizing themselves into a fishermen's league.

THE PARLIAMENTARY UNDER SECRETARY FOR IRELAND (Colonel KING-HARMAN) (Kent, Isle of Thanet) said, he did not think that the fishermen's league with which they were now threatened would have much effect in preventing the winds and waves silting up Howth Harbour. He was willing to acknowledge that the people of Howth had somewhat to complain of in the way in which their harbour had been neglected; but he had not heard that they had done anything to help themselves.

MR. CLANCY: Does the right hon. and gallant Gentleman mean that these poor fishermen should make the harbour themselves?

COLONEL KING-HARMAN: No; but there were hundreds of wealthy men in Howth, as well as poor fishermen, some of whom had given evidence before the Commission. He did not deny that it might be easy to find blots here and there in the action of the Board of Works; but he submitted that that Board had not been remiss in looking after the piers and harbours of Ireland. A large sum of money had been expended in aid of piers and harbours, and a large sum still remained to be expended. Hon. Members spoke as if all this aid had been rendered in the past, and that nothing was to be done in the future. But the previous day a promis was made that a certain sum of money would be expended on the completion of piers and harbours in the West of Ireland. This was a proof that the Government were not lacking in attention to this subject. As the Commission had not yet furnished the Government with its Report and with the information necessary to lay the details before the House, it was impossible for him to say more than that the Government were aware of the fact that a sufficient number of harbour works had been left in an incomplete condition, and that a sum of money would be voted in order to enable them to be completed.

MR. CHANCE (Kilkenny, S.) said, he hoped the Government would not complete the piers and harbours in the West of Ireland. In his opinion, it would be far wiser to throw the money into the sea at once, or give it to some charitable institution. The best way of spending the money was to knock down the incomplete piers and reconstruct them where there was water, because most of those harbours were quite dry at low water; in some cases there was too little water at the piers for rowing boats. The only wealthy man at Howth who gave evidence before the Commission was Judge Boyd, who could not be expected to do as the Under Secretary suggested the Howth people should do—namely, make the harbour themselves. It should be remembered that in 1865 there was nine feet of water at low tide and steamers could come in, but the Government destroyed the harbour by their interference. They ended by sinking a dredger in Howth Harbour, and then they levied a toll of 10*s.* a head on each vessel that came into it. A breakwater was also constructed by the Board of Works at Howth Harbour; but it was so carried out that it was practically useless, and refuse silted up to the mouth of the harbour without any hindrance. Instead of the water inside the breakwater being about eight feet deep, they could walk across two-thirds of it at low tide. Now, the smallest smacks which it would be practicable

to engage in fishing were about 25 tons burden, and these would draw from eight to nine feet of water, so that during a most dangerous gale these fishing smaks would not be able to get into the harbour unless they happened to strike it at half tide, and the consequence would be that they would have to ride outside on a very dangerous coast for seven or eight hours. That was the result of the expenditure of money by the Board of Works. The toll of 10*s.* a head on every vessel had proved actually ruinous; it had prevented English or other vessels coming into Howth, and the people, owing to their being taxed for the money expended already, were now in a very impoverished condition. Judge Boyd, who had resided in Howth for a good number of years, had been compelled to take his yacht out of the place, because he could not get her in and out of the harbour except at full tide. He hoped the Government would not spend a single penny on the work, as the money would be recklessly expended, and an almost starving people would be further taxed owing to the mismanagement of those who would be employed in the superintendence of the work.

MR. CONWAY (Leitrim, N.) said, he thought it was due to the House that the Government should give some explanation as to the sum to be spent on the piers and harbours in the West of Ireland. The Government said they were waiting for the Report of the Commission; but his experience of Commissioners was that they served as an excuse for the Government delaying its ordinary work. In his opinion the Government had not a single penny at their disposal to devote to the work of providing harbour accommodation, and that was the reason the Secretary to the Treasury had given the answer he had done. It was the duty of the Irish Members to insist that their representations should be listened to, and it was worth while to continue that discussion the whole of the evening in order to get some satisfactory statement from the Government.

MR. EDWARD HARRINGTON (Kerry, W.) said, that the same curse of incapacity followed the expenditure of all public moneys in Ireland. In Bantry Bay a comparatively small expenditure would do much to improve the harbour if rocks were blasted and other impediments to navigation removed. The £250,000 which it was said had been voted for the harbour and pier improvements was really the money of the Irish people, of which they ought to have the spending. But it was not really the intention of the Government to do anything, and no good result was ever derived from the numerous Royal Commissions which had been appointed.

SIR JOSEPH M'KENNA (Monaghan, S.) said, that since 1853 the taxation of Ireland had been increased more than £3,000,000 a-year without any substantial advantage being conferred on Ireland in return for that additional expenditure. What the Irish Members complained of was that there had been no intelligent and scientific inquiry made into the works which were undertaken with regard to harbours.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived.*

CRIMINAL LAW (SCOTLAND) PROCEDURE [CONSOLIDATED FUND].

COMMITTEE.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of increased Salaries to the Lord Justice General, the Lord Justice Clerk, and the Lords of Session of the Justiciary Courts in Scotland, in pursuance of any Act of the present Session to simplify and amend the Criminal Law of Scotland and its procedure, and to alter the Constitution of the Justiciary and Sheriff Courts in Scotland."—(*Mr. J. H. A. Macdonald.*)

MR. HENRY H. FOWLER (Wolverhampton, E.): Before we agree to this Resolution, perhaps the Lord Advocate can shortly explain the reasons for it? I believe it amounts to raising the salaries of Scotch Judges, but the Committee should be satisfied that it is justifiable.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Royal Commission of 1867 unanimously recommended that the salaries of Scotch Judges, which were lower at that time and which are still lower than the salaries of Judges in England and Ireland, should be reconsidered. The matter

has stood over for a considerable time, as such matters involving an increase of salary to anybody usually do, while meantime the expense of living and everything else have steadily increased. Proposals are now made by which the emoluments of Scotch Judges will not even be brought up to an equality with the emoluments of the Irish Judges, which I think I am right in saying is a salary of £3,500 a-year, in addition to which they draw allowances of £500 a-year more. The proposal of this clause is to fix the salaries of Scotch Judges at £3,600 a-year, but to give them no allowances at all for Circuit expenses. At present the Judges who do criminal work have £500 for expenses, and have drawn as much as £526 per annum. It is now proposed that all Judges shall do Justiciary work. The Lord Justice Clerk, who goes two Circuits, has a salary of £4,500, and allowances the same as the other Judges. It is now proposed to increase his salary by £300 a-year, and there will be no allowances for Circuit expenses. The Lord Justice General, who does not usually go on Circuit, has a salary of £4,800, and he had allowances of £200 if he should go on a Circuit. It is now proposed to give him the same salary as is given to Puisne Judges in England—namely, £5,000 a-year, and should he on any occasion go on Circuit there will be no further allowance. I may add that I should not have made these proposals had I not been able to satisfy the Treasury that by the Procedure Bill such economies would be affected that not only would there be no fresh burdens imposed upon the State by this reasonable increase in the Judges salaries, but in addition there would be an annual saving.

MR. ANDERSON (Elgin and Nairn): I cannot help thinking this statement of the Lord Advocate is very unsatisfactory. As I understand it, there is to be an increase in the salaries of Scotch Judges, and he has informed us there is to be a considerable saving, though I do not remember that the Bill we had before us last night proposes any alterations whereby these savings are to be effected. I am the last person to desire to underpay Judges; but I do think that the salaries of Judges might, if they are to be made uniform, be reduced in Ireland and in this country. The Lord Advocate seems struck with horror at the proposal; but, as compared with other countries, the salaries are high. I should like to hear from the Lord Advocate some further and fuller explanation how the country is to be benefited by the proposals he mentions.

MR. J. H. A. MACDONALD: The hon. and learned Member must have long had in his hands the Bill in which the proposals are clearly set forth, and I made a statement on the Motion for second reading. The hon. and learned Member asks how these savings come about? They arise in this way. For a good many years there has been a custom in the Sheriff Courts of bringing up prisoners on two separate occasions. On the first occasion, if they plead guilty they are at once sentenced; but if they decline to plead guilty they are brought up again after a certain number of days. This system of two diets in the Sheriff Court saved to the State about £1,850 per annum. We propose to extend the same system to the Supreme Court, and there will be a saving of about the same amount of money. Then we propose by the Bill to abolish three offices, saving nearly £360 a-year on each, the offices of Clerks of the Circuit; the net saving will be, I think, £800 a-year. Various other savings will be effected in consequence of a smaller number of jurors being summoned. We also propose to effect a saving in the expenses of trumpeters, &c. on Circuit. We do not propose absolutely to abolish these ancient customs, but we shall carry them out at a much cheaper rate. I am not quite in a position at this moment to go over in detail all the particular items in the Bill that will conduce to the lessening of expenditure; but I can assure my right hon. Friend (Mr. Henry H. Fowler), who knows perfectly well the usual course of business in these matters, that we have been able to satisfy those who look after economy on behalf of the Treasury, and inquiry will show that I am correct when I say that though I cannot say exactly the amount that will be saved, it undoubtedly would be expressed in four figures.

MR. HENRY H. FOWLER: I certainly do not attach much importance to the amount of savings, for this should not enter into the question of the payment of Scotch Judges one way or the other. The contention of the Lord

Advocate is very fair that Scotch Judges ought to be on the same footing as regards emoluments with Judges in Ireland. I only raise the question because I think the intention of the change should have full notice, and I would impress on the Financial Secretary to the Treasury the absolute necessity of a distinct Treasury Minute or Record being made of this arrangement for the abolition of allowances, or I fear that in the course of a few years application will be made for Circuit expenses on the ground that similar allowances are made in England and Ireland. I think it ought to be put on permanent record beyond all dispute that this question is now finally settled.

MR. J. H. A. MACDONALD: This is directly stipulated in the Bill itself.

DR. CLARK (Caithness): We do not object to the slight increase in the salaries of Scotch Judges, because I do not think you will be able to get able advocates to take seats on the Judicial Bench without adequate salaries. To place them in a position equal to Irish Judges is only fair towards Scotland, especially as the Lord Advocate says a considerable saving will be secured by the change in procedure.

MR. CHANCE (Kilkenny, S.): One question I should like to have answered. What increase, if any, is to be made in the annual payment by the State of the allowances to Scotch Judges; what increase in the total sum?

Question put, and *agreed to.*

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of increased Salaries to the Lord Justice General, the Lord Justice Clerk, and the Lords of Session of the Justiciary Courts in Scotland, in pursuance of any Act of the present Session to simplify and amend the Criminal Law of Scotland and its procedure, and to alter the Constitution of the Justiciary and Sheriff Courts in Scotland.

Resolution to be reported upon *Monday* next.

MERCHANDISE MARKS LAW CONSOLIDATION AND AMENDMENT (*re-committed*) BILL.—[BILL 304.]

(*Baron Henry De Worms, Mr. Attorney General, Mr. Stuart-Wortley.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Baron Henry De Worms.*)

Mr. Henry H. Fowler

MR. CLANCY (Dublin Co., N.): I do not rise to object to this Bill, which has a useful object, and, I believe, attains that object to a considerable extent, and in a way to which no exception can be taken, and which certainly does not wish to contravene the doctrine of Free Trade. What I wish to speak about is this. As the Secretary to the Board of Trade is aware, among the few remaining manufacturing industries of Ireland that best known is the manufacture of Balbriggan hosiery. The House is aware that most of the industries of Ireland have been crushed out of existence, and I am sorry to inform the House that this particular surviving industry is also threatened with extinction owing to the fraudulent use of the word "Balbriggan" by other manufacturers than those who reside in that locality. I do not wish to allude to any manufacturer in particular; I will only say that by the use of the word Balbriggan for fabrics of inferior manufacture the reputation of the true Balbriggan hosiery has been greatly injured, and unless some steps are taken for its protection I fear it will be extinguished outright. I have been told by one of the principal Balbriggan manufacturers that he is afraid he must shut up his factory in six months from this date. Now this, in the present state of Ireland, would be a serious matter, and the question I rise to ask is this—I have not read the evidence given before the Select Committee to whom this Bill was sent for consideration, and I have not seen the Amendments made; but I wish to ask has this question of Balbriggan trade been considered in Committee; and, if so, whether any effectual steps have been proposed, or Amendments inserted in the Bill, calculated to carry out the object I have in view? I have no intention whatever of obstructing the Bill; but I ask this question so that I may know whether it will be necessary for me, or some other Irish Member, to move an Amendment for the purpose I have indicated. I may observe that the Bill has not been reprinted, and it may be necessary to postpone further consideration, unless it can be circulated to-morrow, or early on Monday. Obviously, it would not be possible for us, in a matter of this kind, involving legal questions, to draft, in a few minutes, the Amendment we might think necessary. I am

sure, from the attitude of the hon. Gentleman, he will take a reasonable course, and give me the information I now ask for.

THE SECRETARY TO THE BOARD OF TRADE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): In reply to the question of the hon. Member, I am glad to be able to assure him that the subject of the Balbriggan trade was considered by the Select Committee, as he will find from the evidence; and he will find that, under Clause 3, it is clearly set forth that any imitation of a registered title would come within the penalties imposed by the Bill; and, further, there is a definition of what I may call generic names, by which any industry is qualified to have its origin fixed by the name of a particular place, and this was specially inserted to meet cases similar to that of Balbriggan. If the hon. Member will accept my assurance, when he comes to see the Bill he will bear me out in the statement that we have had special regard to preventing, as far as we could, the use of any name falsely indicating the place of origin of any manufacture. I may add that I hope the Bill will be in the hands of Members to-morrow; it is printed, and will be, I believe, circulated to-morrow morning. I trust, when the hon. Member reads the carefully considered clause to which I refer, and also the definition of what I have called generic names, and which was assented to by every Member of the Committee, he will not think it necessary to introduce any Amendments, for the clause will meet every case of the fraudulent use of names.

MR. DE LISLE (Leicestershire, Mid): I just wish to ask whether, in the Bill, provision is made to protect an industry which is of some importance in the Midland Counties? I mean the manufacture of hand-made stockings. Of course, the title is not absolutely correct in the literal sense of the word—the goods are made on frames worked by hand. The public are aware that these stockings, made on hand-looms, are much more durable and comfortable than those made on frames worked by steam, and they, therefore, command a great sale. It would be satisfactory to know if under the Bill it is possible to protect these goods against the competition of steam-made stockings sold under the name of hand-made. I am perfectly well aware that steam frames can be brought to great perfection, equal to the hand frames; but still it is not right that an article of one kind should be known and sold under the name and reputation secured by another.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): As my name is on the back of the Bill, perhaps I may be allowed to say that the Act of 1862 contained no words aimed at misdescription of the mode of manufacture, but the present Bill does. The present Bill, therefore, does provide against the use of words or marks recommending goods not actually so made as being made by hand.

MR. J. ROWLANDS (Finsbury, E.): I wish to observe that it will afford us but very little time for consideration if we only get the Bill to-morrow. I believe the Committee have made drastic alterations in the law; and some of us would like to give it earnest consideration before the Bill passes this stage.

MR. BIGGAR (Cavan, W.): As one of the Committee, I may say that in considering the Bill the Committee used the greatest exertions to make it practicable, as far as possible, for putting down fraud in every shape. Of course, it was utterly impossible to refer to every special case—Balbriggan or any other manufacturer; but the utmost care was taken to make its general principles applicable to every case. I do not think that any hon. Member interested in any particular industry will have any great cause to complain when he sees the Bill in print. I understand that the intention now is merely to get the Speaker out of the Chair, and then to allow a couple of days to elapse before the Bill is passed through Committee; and in that way hon. Gentlemen who have the interest of any particular industry at heart will have the opportunity of preparing particular Amendments to carry out their views. But the Bill has been considered so carefully—I do not say it is perfect—that I think hon. Members will have considerable difficulty in proposing Amendments that will make it more clearly effective for its purpose.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): If there is a desire on

the part of hon. Members for further time for discussion upon this Bill, we will not object to postpone the present stage. It is the present intention of the Government to proceed with the Bill on Monday, and we shall do that unless hon. Members desire a further postponement.

MR. CHANCE: I am anxious that we should proceed as soon as possible with the Bill; but I would ask that the Government should consider whether Clause 3 sufficiently covers the cases which have been mentioned. I am afraid that under it the marking of goods as "Balbriggan," which are not really manufactured in Balbriggan, will not be considered as fraudulent. I trust the Government will come down on Monday, and make some statement as to their opinion of the law on the subject. If they do that, I do not see why we should not go on with the Bill on Monday night.

MR. ILLINGWORTH (Bradford, W.): It seems to me that we are venturing upon very risky ground, and I do not see that the locality from which I come will be beneficially affected by entering goods by the name of the localities where they are produced. Bradford is the centre of a very large munufacturing district—the district in which they make what is known as "Bradford goods," a term very well known throughout the Kingdom. On the other hand, however, these identical goods are made in Norwich and parts of Lancashire and elsewhere, and enjoy, even when coming from those places, the name of "Bradford goods." My hon. Friend (Mr. Chance) wishes to protect particular kinds of goods which bear the name of the localities in which they originated. I am afraid, if we introduce such grandmotherly legislation as this, we should be doing that which would involve us in litigation and complications to which there would be no end whatever. As to the suggestion that when an article bearing a certain name is manufactured by hand it shall be fraudulent to put in the market an article bearing the same name manufactured by machinery, it is admitted now that the goods which used to be manufactured by hand are not now so manufactured. The only difference between the small industries in some districts and the large industries in other districts is that, in the one case, steam power is largely used, and in the other case hand power is used. I look with suspicion upon legislation of this kind. Whatever protection can be given to the purchaser ought to be given. But if we attempt to regard all these small claims on the part of the various centres of manufacture in the country, I am afraid we are entering upon a course which must signally fail.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Perhaps the hon. Member opposite does not gather what the object of this Bill is. The Act of 1862 did not work well. It was thought that the procedure should be revised; therefore the matter was referred to a Select Committee. It is sought to prevent fraudulent descriptions; to impose restrictions as to fraudulent descriptions and trade marks, and to meet cases which would not be met by the Act of 1862. There has not been the slightest idea of interfering with any well-known trade description of goods. Such descriptions were preserved in the Act of 1862, and are preserved in the present Bill; and, certainly, "Bradford goods," "Leghorn hats," "Paris boots," &c., will remain as they are.

MR. ILLINGWORTH: And "Balbriggan hose?"

SIR RICHARD WEBSTER: Yes.

Question put, and *agreed to.*

Bill *considered* in Committee; Committee report Progress; to sit again upon *Monday* next.

MOTION.

ADJOURNMENT OF THE HOUSE.

MR. HENRY H. FOWLER (Wolverhampton, E.): Having regard to the general arrangement of the Business of the House, I think it would be well for us to now adjourn. I do not know whether the Government will agree to it, but I will now move the adjournment of the House. I would take this opportunity of asking the right hon. Gentleman the Leader of the House whether he has come to any definite decision as to the day when the third reading of the Criminal Law Amendment Bill will be taken?

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Henry H. Fowler.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, (Westminster): I will not oppose what I believe to be the general wish of the House that it should now adjourn. In answer to the question just put, I would remind the right hon. Gentleman that I announced yesterday that the Government propose to take the third reading of the Crimes Bill on Tuesday. I had hoped that the Land Bill might have been in possession of hon. Members on Monday; but I find that it will not be read a third time in the House of Lords until Monday, and, therefore, it cannot be in the hands of Members until Tuesday morning. It will be read a first time *pro formâ* on Monday, and circulated the first thing on Tuesday morning. I hope that this is a sufficient fulfilment of the pledge I gave to the House. If hon. Gentlemen object to this view, I wish them to reserve the expression of their objections until Monday, when I propose to make a Motion in regard to further facilities for the conduct of Public Business with respect to Supply, and the conduct also of the Land Bill and other Business which remains to be considered. If hon. and right hon. Gentlemen are then of opinion that further delay is necessary for the consideration of the Criminal Law Amendment Bill, I wish, in the circumstances of the case, to meet their views as far as possible; but only on the understanding that the House will be content that the Government should make the best use of the interval which must elapse for Supply, which is greatly in arrear, and which, in the public interest, ought to be considered by the House.

Question put, and *agreed to.*

House adjourned at five minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 4th July, 1887.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Trusts (Scotland) Act, 1867, Amendment * (117).

Third Reading—Irish Land Law (152); Customs and Inland Revenue * (150); Lunacy Districts (Scotland) * (145); Markets and Fairs (Weighing of Cattle) * (139), and *passed.*

PROVISIONAL ORDER BILLS — *First Reading*—Public Health (Scotland) (Cowdenbeath Water) * (154).

Committee—Local Government (No. 4) * (125); Tramways (No. 2) * (133).

Committee—Report—Local Government (No. 3) * (124); Water * (126).

Third Reading—Local Government (Ireland) (Dublin, &c.) * (95), and *passed.*

THE IMPERIAL INSTITUTE—PLAN OF THE BUILDING.

QUESTION. OBSERVATIONS.

THE EARL OF WEMYSS said, he wished to ask his noble and learned Friend the Chairman of the Executive Committee of the Royal Commission appointed to decide upon the new buildings of the Imperial Institute, Whether he would consider the advisability of having a model prepared embracing the plot of ground on which the Albert Hall, the Natural History Museum, and the new buildings would stand? He offered no opinion as to the building or the site selected, and had received plans of the site and proposed buildings; but, without expressing any opinion regarding them, he thought it was very important that a model should be prepared in order that the public might have the opportunity of judging whether the proposed new building would be in harmony with its surroundings.

LORD HERSCHELL: I give my answer somewhat under protest upon the subject of a Question of this description, in the capacity I have the honour to fill in your Lordships' House; but I have no difficulty in answering the Question put by the noble Earl. We do propose, before committing ourselves to the erection of any buildings, to have a rough model made of the buildings proposed to be erected and the buildings adjacent thereto, in order to be satisfied that there will be that harmony secured which the noble Earl, doubtless in common with everyone else, desires to see.

CANADA—CHANGES IN THE TARIFF—THE CORRESPONDENCE.

ADDRESS FOR CORRESPONDENCE.

LORD LAMINGTON, in rising to ask Her Majesty's Government to lay on the Table the Correspondence with the Canadian Government respecting the proposed changes in the tariff, said, that his reason for asking for it was that the position of the tariff question was not clearly understood. Many persons thought, when Sir Charles Tupper said

that a reduction would be made on the rates of duties, that this reduction referred to the present rate of duties instead of to the prohibitory duties which it was intended to impose—namely, 100 per cent on our pig iron, 300 per cent on puddled bars, and 155 per cent on bar iron. If this reduction were made it was in the spirit of the trader in an Eastern bazaar when 25 per cent was added to the price of goods, so that the seller might have the credit of making a reduction. But all this would be more clearly explained when the Papers were produced. He agreed with the noble Earl opposite that, so far as the commercial and manufacturing classes of this country were concerned, such conduct could not be regarded as a friendly proceeding. His noble Friend near him said the other day that their system of Free Trade was such that they had given away whatever powers they might originally have possessed to make a bargain, and so Canada, having got all she could out of us, turned against us. All he could say was that if we regarded the Colonies as our children and we were the Mother Country they were imitating the conduct of Regan and Goneril; but it did so happen that at this moment Canada required our assistance to develop the Canadian Pacific Railway in the very practical form of a subsidy of £100,000 a-year, which represented more than £3,000,000 of capital, and if this were granted they would have a right to expect generous treatment from her. It had been urged that Canada did not impose these duties to injure us. No one ever imagined she did, but she imposed the duties for her own advantage, and was indifferent whether it injured us or not. When the Colonies acted entirely in their own interest without any regard to the Mother Country, the boasted unity of our Empire became merely a poetic sentiment. It had been said by other noble Lords that the tariff was imposed against the United States, not against us. The price of iron in the States was double that of British iron. There was the distinct return, and it was obvious that it must benefit the United States, and he understood it was also intended to reduce the duty on American coal. All this was not encouraging for any ideas of federation of our Colonies, for it never could have occurred but for the union of our North American Colonies, a policy which he thought was a mistaken policy, though carried out with much ability. The fact was the Province interested in this question was Nova Scotia, whith threatened to leave the Union unless it was adopted. This was what Mr. Mitchell said—

"It appears that to help an iron work or two in Nova Scotia and to establish smelting works at Kingston or somewhere else in Ontario the financial interests of a thousand workshops are assailed, and millions of extra taxation in one form or another are imposed upon the country. It is scarcely possible to imagine a more sudden, a more reckless, or a more sweeping and uncalled-for change in the country's policy than has occurred in connection with the late changes in the Customs tariff."

As regarded the subsidy for the line of steamers from Vancouver's Island to Australia, it seemed that the Canadian Government had been already in communication with other Governments, which, again, was not a very patriotic proceeding. All this was much to be regretted, especially at this moment, and he could not say that it seemed to him that the Government appreciated the injury which would be done to us. He hoped when the Papers were printed it would be seen that the Government had done all in their power to promote our home trade and to maintain a practical, not a merely sentimental, union with the Dominion. He was fully convinced of the great ability and admirable judgment of Lord Lansdowne; but a Governor General could do little if he were not earnestly supported by the Home Government. He trusted that Her Majesty's Government would be able to give the House the assurance that there was some hope of a more sympathetic policy in the Dominion.

Address for—

"Correspondence with the Canadian Government respecting the proposed changes in the tariff."—(*The Lord Lamington.*)

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of ONSLOW) said, that he had very little to add to what he had stated a few nights ago in reply to the noble Lord—namely, that the policy of this country had been to leave in the hands of the Government of Canada the management of their own fiscal affairs. In times gone by it was the practice to issue instructions to the Governor General, directing him to reserve certain Bills, including those

having reference to fiscal matters, for the approval of Her Majesty. When the Marquess of Lorne went out to Canada these instructions, so far as they had reference to Bills imposing differential duties, were revoked. As he had said before, any representations which were made to Her Majesty's Government on this subject would be forwarded to the Governor General for his consideration; but he did not think that any advantage would result from laying the Papers referred to by the noble Lord upon the Table, because their number was small, and consisted only of a telegram which he had formerly read to the House, some Memorials from British Chambers of Commerce, and a despatch to the Governor General, intimating that a deputation had been at the Colonial Office, and had urged that the passing of the Tariffs Bill would produce great dissatisfaction here, and be injurious to the trade of this country. As Constitutional government existed in Canada, he did not think that his noble Friend would expect Her Majesty's Government to do more than forward the recommendations which had been received from the different Chambers of Commerce to the Governor General. He trusted that his noble Friend would be satisfied with the assurances he had given.

EARL GRANVILLE said, the Government seemed to overlook the point in this controversy. They were not asked to veto any Canadian Customs Laws, or in any way to interfere with the raising or lowering of duties. No one wished to see the slightest interference with Canada; but they were struck with the fact that the Colonial Under Secretary had the other night argued in favour of the duties rather than otherwise. He (Earl Granville) could not conceive that though this country had adopted the wise and sensible plan of leaving all questions of tariff regulation to the Colonies concerned, it had thereby debarred itself from the right of making any representation of a friendly character when an alteration so important to the Colony and the Mother Country was concerned. He failed to see why such a representation might not be made without in the slightest degree giving offence. He regretted that the Government had not expressed their views one way or the other as to the advantage or disadvantage of this change on the Colony, as well as on the Mother Country.

THE EARL OF DUNRAVEN: According to the noble Earl (Earl Granville), not only is Canada bound to injure herself very much by her fiscal policy, but she is bound also to inflict considerable damage upon the manufacturers of the United Kingdom, and the course she is taking must be looked upon as unfriendly. The noble Earl, in fact, used very strong language, and said that you cannot expect anything but evil results from such a sudden blow to the commerce of the two countries. Now, my Lords, it would be most lamentable if misconception arose, and the manufacturing population of this country got it into their heads that the imposition of higher duties by Canada was a direct blow to legitimate commerce with the Mother Country. The other day I said what I believe to be true, that, in the first place, the adoption of a protective policy by Canada had resulted to our advantage, and not to our disadvantage; secondly, that the duties were obviously imposed against the United States, and not against us; because the iron trade of Canada with this country was falling off, while that with the United States was increasing. I said also that, judging by past experience, it was more than probable that the effect of these duties would be not disadvantageous, but advantageous to us, and I added that I believed I could substantiate that theory by means of figures. Perhaps your Lordships will bear with me a few minutes while I show why I believe that the imposition of these duties may do us good instead of harm; why I feel confident that they are aimed against the United States instead of us; and why I think not only that Canada was justified in imposing them, but that it was necessary for her to protect herself against the manufacturers of hardware in the United States. Your Lordships know that Canada adopted Protection in 1879. My contention is, that prior to that time her trade with us had been falling off, while her trade with the States had been increasing; whereas, after the adoption of what she calls her national policy, her trade with the United States decreased, and her trade with the United Kingdom increased. I have looked back at the imports into Canada from the United States and

Great Britain respectively during the four years before and the four years after the Dominion adopted a protective tariff. I find that from Great Britain they amounted, in 1876 — I speak of dollars—to $40,734,260; in 1877 to $39,572,237; in 1878 to $37,431,180; and in 1879 to $30,993,130, showing a steady decrease of imports from Great Britain during those four years. After 1879, when Canada adopted what she calls her national policy, the result was favourable to ourselves. I find that in 1880 our imports to Canada rose in value to $34,461,224; in 1881 to $43,583,808; in 1882 to $50,597,341; and in 1883 to $52,520,465. As regards the United States exactly the reverse took place. In the four years preceding the adoption of a protective policy by Canada the United States exported as follows to that country:—In 1876 goods to the value of $46,700,330; in 1877 the value was $51,312,669; in 1878 it was $48,631,739; and in 1879 it was $43,739,119. After the adoption of the tariff the imports from the United States dropped suddenly to $29,346,948. I take these figures from the Trade and Navigation Returns published by the Dominion Government last year. Previous to 1879, when Canada adopted this national policy, our exports to that country had decreased by $10,000,000; whereas those from the United States had diminished by only $3,000,000. In 1880, after the tariff had come into force, the imports from Great Britain increased by nearly $4,000,000 in one year; while the imports from the United States decreased to the extent of more than $14,000,000. The annual average of the imports from Great Britain for the four years before 1879 was $37,185,102, that of the imports from the United States being $47,432,172. The proportion of the imports from the two countries was, therefore—Great Britain 44 per cent; the United States 56 per cent; whereas in the four years after the protective tariff came into force the imports from Great Britain averaged $45,173,709, and from the United States $42,993,086; or 52 per cent from Great Britain against 48 per cent from the United States. Those appear to me conclusive figures, showing that in consequence of the tariff as I would say, or, at least, coincidently with it, as nobody can deny, the imports from the United States to Canada fell off, while those from the United Kingdom largely increased. That tariff of 1879 was imposed with the view of encouraging Canadian manufactures, and was not intended to touch the iron and steel manufactures abroad. The fact is, that during the past few years the imports of iron and steel goods from the States to Canada have largely increased, whereas the importation of similar articles from the United Kingdom have shown a tendency to decrease, and the trade was threatening to fall rapidly out of the hands of this country into those of the United States. I will take four classes of goods to illustrate my argument. In the first place, I will speak of fittings, machinery in general, sewing machines, hardware, and cutlery. Comparing the period from 1877 to 1886 with 1886 itself, I find that the importation of those manufactured articles from Great Britain amounted, in round numbers, to an annual average for the 10 years of 20 per cent above the imports of the last-mentioned year. As regards the United States, the yearly average of the 10 years was about 85 per cent above the imports of the one year 1877, the initial year of the decennial period, showing that the imports of iron manufactured goods from the United States to Canada had, during the period of 10 years, increased largely. I find precisely similar facts with regard to articles of what I may call partly-manufactured iron, which are dealt with in the present alterations of the Canadian tariff. I allude to pig iron, bar iron, and hoop iron. In pig iron there was a decrease of exports from Great Britain of about 33 per cent, and the same from the United States. As far as bar iron is concerned, there is one solitary instance in which the importation from the United States has decreased a little more than that from the United Kingdom; but as regards hoop iron, the decrease of the British exports is 23 per cent, whereas that of the United States exports is 10 per cent. These figures, I think, fully bear out my contention that the iron trade has, during the last few years, shown a tendency to fall out of the hands of Great Britain into those of the United States; and, therefore, a fiscal policy directed to protecting those interests in Canada is also directed not against us, but against the

United States, and is intended to save Canada from the unfortunate position in which she is compelled to draw the necessary articles which I have mentioned from a foreign country. I am very glad that Her Majesty's Government are not going to make any attempt to advise or preach to the Canadian Government in this matter. In the first place, it is not the business of this country to do so; and, in the second place, to preach to the Canadian Ministry would be simply wasting words, and making ourselves supremely ridiculous. I will now endeavour to prove that not only has the protective policy of Canada done her no harm, but it has done her an immense deal of good. The other day the noble Earl opposite made a special point of this—that fostering her iron industries must eventually do Canada a great deal of harm, by withdrawing her from undertakings natural to her, such as agriculture and the lumber trade. Now, as far as the lumber trade is concerned, I have found no figures at all; but I find that the exports of agricultural produce have slightly increased. That is to say, that in 1881-6 there was a growth of nearly $6,000,000 over 1879. In view of the fact that Canada has enormously developed, and is entirely self-supporting as regards agricultural produce, it must be admitted that if she can export so much, her policy cannot have tended to the detriment of her agricultural interest. There is another point that I should like to mention, because a good deal of stress was laid on it the other night—namely, that Canada must do herself a great deal of harm by her protective policy, because it raises prices, and that she must injure us also. I said I believed myself that the cost of necessaries in Canada had actually decreased since 1879, when the Dominion adopted its present fiscal policy. I have taken the trouble to look into the facts, and I find that what I then stated was correct. It is a very interesting subject. I looked, in the first place, at the price of agricultural implements in the new agricultural district of which Winnipeg is the capital; and I took such articles as hoeing machines, seeders, and waggons. The prices of these articles, so necessary to an agricultural country, had decreased by about 26 per cent in 1885 as compared with 1881, which was shortly after the new tariff was introduced. I find, indeed, that the official guide published by the Dominion Government makes the case still stronger, for it says that the price of agricultural implements in Manitoba had decreased 38 per cent in the last four years. Then I take the important articles of food, such as meat, bread stuffs, butter, cheese, tea, and coffee; and I find that in the same period, 1881 to 1886, the prices had decreased at Toronto 33 per cent; Montreal 17 per cent; Manitoba 20 per cent. In the same way, I find that the cost of clothing, the ordinary necessary clothing of the people, had diminished very much during those years. At Toronto the fall was 17 per cent; at Montreal 9 per cent; in Manitoba 8 per cent. Simultaneously, there was a large development of the industries of Canada. In 1874 there were in the whole of the Dominion only seven cotton mills, a number which, in 1883, had grown to 20. In Quebec, in 1878, there were 18 woollen factories, and in 1882 there were 27. I could quote any amount of figures as to deposits in chartered banks and savings banks, as to shipping, and things of that kind, and as to the number of business undertakings; but I do not think it necessary to do so. If your Lordships will look at the statistics yourselves, you will find that there was an immense increase of deposits in the banks of Canada, most lively symptoms of national prosperity, and an immense decrease of commercial failures after Canada, in 1879, adopted what she calls her "national policy." That policy may, as far as Canada is concerned, be truly called national, because it was adopted by both Parties. Sir Charles Tupper, in a very interesting speech he made the other day, said—

> "Since the last Session of Parliament, as is well-known, the hon. Gentleman who leads with such distinguished ability the loyal Opposition in this House has, in the presence of the great electorate of Canada, announced his entire conversion to the principle which we have so long maintained on this side of the House. The time has come when we are all at one on this great and important question, and when our only thought is how best to carry out and to make successful the principle which has commended itself to us all."

Now, my Lords, I think it would be a very great misfortune if an erroneous opinion spread abroad in this country,

and the people were persuaded that Canada had adopted a policy ruinous to herself and likely to damage us. I regret very much that, in all these matters, it is out of the power of a Colony like Canada to discriminate in favour of the Mother Country. As a matter of fact, you will find, if you examine the Canadian tariff, that, practically, Canada does discriminate in favour of the Mother Country. The articles which are mainly imported from the United Kingdom are charged comparatively low rates of Customs Duties; whereas those brought mainly from the United States pay much more. It is unfortunate, to my mind, that that discrimination cannot be used more openly and effectually; but, certainly, it would not become us to press anything of the kind upon our Colonies, seeing that we have never done anything whatever in the same direction. I do not wish to enter upon disputatious matter, or to argue whether it would be advantageous that the Colonies should discriminate in our favour, and we in favour of the Colonies; but I am of opinion that it would be greatly to our advantage and to that of the whole Empire to do so. Although the matter which has been brought before your Lordships is in itself comparatively small, it involves a question of vast importance; because I can see it the beginnings of a factor which must have some day or other great influence. There is no fact in existence that I know of that is likely, even in the most distant future, to cause serious disagreement, or any dismemberment or break-down of the British Empire, except the factor of disagreement on commercial policy—that is to say, the commercial fiscal policy of various portions of the Empire acting injuriously on other portions. We are already in considerable difficulty in many parts of the globe with respect to this question. We have seen at home very serious injury inflicted on the great sugar industries by reason of foreign bounties. We know that there are difficulties between Canada and the United States. We have seen the West India Islands most anxious to negotiate with the United States, or to get us to negotiate for them. The Secretary of State for the Colonies took a different view from the United States, or the latter took a different view from the noble Earl as to the interpretation of the "most favoured nation clause." We know that the Dominion of Canada is negotiating, or lately was partly through us, but to some extent also independently, for a Treaty with Spain regarding trade with Cuba and Porto Rico. These are all questions in relation to which some of our Colonies have found themselves suffering under grave inconvenience and detriment, owing to the fact that the commercial system which we uphold does not entirely suit itself to their requirements. That is the only direction in which it seems to me possible that in the future any serious disagreement can possibly arise between the Members of this great Empire. It is, therefore, a question than which none can be more important. I am not going to give any opinion whether we should alter our fiscal policy or not; but I have no hesitation in saying that a policy which gives perfect freedom of action to every Member of the Empire in reference to its own internal arrangements, but, at the same time, would offer a united front against the commercial encroachments of foreign countries, is one that will have to be seriously considered some day. We are all agreed that our Colonies and we should act together against foreign invasion by war; but, my Lords, commercial invasion and commercial hostility are, in some respects, even more to be dreaded than war. You cannot, even by a disastrous war, destroy a great country; but you can destroy it by gradually undermining its commercial wealth and prosperity; and I should think it a great misfortune if, in the distant future, our Colonies found themselves so much hampered by our ideas of political economy, that they considered it more advantageous to enter into a commercial alliance, offensive and defensive, with foreign countries, and to act with hostility against some portions of the Empire. It would be a very great misfortune if the people of this country did not prevent that by accepting the views which are entertained respecting fiscal policy and political economy by those who ardently desire the unity of the Empire. I have ventured to trouble the House with these facts and statistics, because I think it important that the truth should be known about the attitude of Canada; that the people of this country should not be misled in the

matter; that they should not imagine that the duties which Canada proposes to increase are aimed against us, or will be detrimental to this country; and that they may understand that our trade with Canada has enormously increased since the adoption by that country of her national policy.

LORD LAMINGTON said, he must again appeal to the Government to give the Papers asked for.

THE EARL OF ONSLOW said, that having described what the Papers on this question were, he thought that the noble Lord would not think it worth his while to have them laid on the Table. But after the appeal which the noble Lord had now made, he was not prepared to resist; and the Papers, such as they were, should be laid on the Table. With regard to what fell from the noble Earl (Earl Granville), he could only say that the Government did not feel disposed to make strong representations to the Canadian Government —for this reason, and for this reason only, that they believed they would be futile. Both parties in Canada were coming round to the idea that this was the policy most in the interest of their country; and, that being so, the Government felt, whatever their views as to the wisdom or unwisdom of the action of Canada in this matter might be, that no representation from Downing Street would have any great influence on the Dominion statesmen.

Address *agreed to.*

BANTRY BOARD OF GUARDIANS.

MOTION FOR CORRESPONDENCE.

LORD VENTRY said, he rose to ask, Whether the attention of Her Majesty's Government had been drawn to the action of the Board of Guardians of the Bantry Union relative to the offer of a supply of fresh water to the sanitary authority by the officer commanding H.M.S. *Shannon;* and to move for any Correspondence that passed between that officer and the Board of Guardians with reference thereto? The town of Bantry was suffering from the severe drought. Captain Blackburne offered the Board of Guardians 40 tons of condensed water. The motion that this offer should be accepted resulted in a tie, and was consequently lost, the opposition being based on the ground that Captain Blackburne had insulted the Irish national sentiment by taking down an unrecognized green flag from the yacht of Mr. Murphy. In his (Lord Ventry's) opinion, the action of the Board in this matter was hardly calculated to raise the hopes of those who were looking for a large extension of local government in Ireland; and, as that action appeared to have been such as to endanger the health and lives of the inhabitants of the town, he wished to know whether the Local Government Board would not take some notice of the matter?

Moved, "That there be laid before the House, correspondence, if any, that has passed between the officer commanding H.M.S. "Shannon" and the Board of Guardians of the Bantry Union with reference to the offer of a supply of fresh water to the sanitary authority by the said officer."—(*The Lord Ventry.*)

LORD ELPHINSTONE (A LORD IN WAITING) said, that Captain Blackburne, of H.M.S. *Shannon*, wrote to the Resident Magistrate at Bantry, placing 40 tons of water at the disposal of the inhabitants. Mr. Warburton, the local magistrate, replied on the following day saying that he had laid the offer before the Board of Guardians, and he regretted exceedingly having to send the very uncourteous reply made by the Board. What took place at the Board itself was as follows. It appeared that it was moved by one of the Guardians that, in consequence of the manner in which Captain Blackburne had violated the national sentiment of the people of Bantry on the day of the Jubilee Celebrations by tearing down a green flag from the yacht of Mr. W. Murphy, M.P., the people of Bantry declined to accept any petty favours of this kind from Captain Blackburne. An amendment was proposed by another Guardian to the effect that the Board of Guardians should express their gratitude and thanks to Captain Blackburne for his most generous offer, as the supply from the tank was insufficient to enable those requiring water to get any quantity at all adequate to the necessities of the case. A division was taken; equal numbers of Guardians voted for the amendment and for the resolution; and the matter then dropped. It was added that Captain Blackburne must, therefore, use his own discretion. On the following day Captain Blackburne sent a tank ashore, and gave orders that any persons coming for

water were to be at once liberally supplied. Altogether 30 tons of water were supplied, and the whole 40 tons would have been taken if the tank could have remained longer; but the *Shannon* was compelled to go to sea. The inhabitants, and especially the poorer classes, appreciated the consideration of Captain Blackburne; and he had heard from many sources of the gratitude they expressed. The reality of the water famine was undoubted, for Captain Blackburne added—

"Many of the gentry refused to take water, not wishing to deprive the poor of what they were otherwise unable to obtain."

There was no objection to produce the Papers; but as they would contain nothing more than he had stated, perhaps the noble Lord would consider it scarcely worth while to press his Motion.

LORD VENTRY said, he was quite satisfied with the statement of the noble Lord, and would not press the Motion.

Motion (by leave of the House) *withdrawn.*

IRISH LAND LAW BILL.—(No. 152.)

(*The Lord Privy Seal, Earl Cadogan.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Lord Privy Seal.*)

LORD FITZGERALD said, he desired it to be understood that, in opposing the Amendment of the noble Earl (the Earl of Arran) to the 16th clause, which Amendment proposed that Mr. Justice O'Hagan and Mr. E. F. Litton should be respectively President of the two Divisions of the Land Commission, he did not cast any reflection upon those eminent and distinguished persons, whose ability and fitness could not be called in question; but he thought the Amendment making the nominations was an unnecessary interference with the discretion of the Government. Such an interference lessened or took away the responsibility of the Government, and it was inexpedient to do that. Even in the hands of the present Lord Lieutenant, the power of making the appointments would have been used only in the public interests, and for the public good. There was, however, an ambiguity in the wording of the clause, which could be corrected by simply saying that the Government should be at liberty to appoint any person or persons not exceeding two. He further regretted the amendment of the clause by striking out the mention of County Court Judges as possible members of the Divisions. That seemed to involved a slight upon a body of men, many of whom were specially qualified for the duties of the Divisions. He had also to complain of the acrimonious terms in which the County Court Judges of Ireland had been spoken of by the noble Earl opposite (the Earl of Kilmorey) on Friday evening. He (Lord Fitzgerald) would instance County Court Judge Neligan as an eminent and experienced Judge, whose services, if secured under the Bill, would be certain to be very valuable. He wished to have a provision inserted in the Bill in order to cure the ambiguity to which he had referred, to the effect that the Government should be at liberty to appoint, from time to time, any person or persons, not exceeding two, to be associated with the Land Commission. With regard to the Land Purchases Clauses, which the Government had intimated their intention of dropping, he hoped there was no truth in it, and that the Government would not entertain the idea of abandoning these clauses in "another place," as he thought they would be exceedingly valuable, and that they would greatly facilitate and accelerate the progress of the Land Purchase Act of 1885. He hoped the clauses would be proceeded with, and he believed they were not likely to be the subject of much discussion or of obstruction in the House of Commons. In fact, he believed there was a general disposition to accept these clauses. The amount to be set apart for advances under that Act was £5,000,000, and, with the view of giving confidence to intending purchasers, he hoped that the Government might be able to apply to Parliament this Session in order to supplement that Vote of £5,000,000, and not allow it to become exhausted. At present there were thousands of estates standing in the Landed Estates Courts ready for sale, which could find no purchasers, and he would suggest that the Land Court in Dublin which now consisted of only one Judge, should be merged in the Land Commission.

Lord Elphinstone

THE EARL OF KILMOREY said, he most decidedly repudiated the statement of the noble and learned Lord (Lord Fitzgerald) that he (the Earl of Kilmorey) had made any attack on those distinguished men, the County Court Judges of Ireland.

THE LORD PRIVY SEAL (Earl CADOGAN) said, the House would feel that it was unnecessary for the noble and learned Lord opposite (Lord Fitzgerald) to offer any apology for addressing them again on this Bill. For his part, he (Earl Cadogan) recognized the great value of the authority of the noble and learned Lord on all Irish questions, particularly those concerning the Land Laws. He was grateful to the noble and learned Lord for allowing him that opportunity of saying that, so far from any Member of the Government having—by dividing against the Amendment of the noble Earl (the Earl of Arran)—any want of confidence in the Land Commission, nobody appreciated more than the Government the distinguished and able character of the services rendered by the two legal Members, Lord O'Hagan and Mr. Litton. As to the County Court Judges, the noble Earl behind him (the Earl of Kilmorey) had replied for himself, and he cordially joined in that remark. He thought it would be an improvement in the proposed provision of the noble and learned Lord if the persons to be appointed as associated with the Land Commission should be "not exceeding three." He fully agreed with the noble and learned Lord that the Land Purchase Clauses, which, so far as they went, were intended to facilitate and strengthen the Purchase Act of 1885, were very valuable, and their omission would be a great loss to the Bill. It was, therefore, with some amount of regret that he had found a disposition existing in some quarters of the House to burke those clauses, and that on the grounds of public policy and public expediency, and in order to promote the despatch of Public Business, the Government had unwillingly come to the conclusion the other night to eliminate them from the Bill; but he was glad to say that now, strengthened by the almost unanimous opinion of the House, that they were very valuable clauses, and that they should remain in the Bill, the Government had decided to proceed with them, and to press them on the attention of the other House. Another suggestion of the noble and learned Lord was one of great importance—namely, that the amount of the Vote set apart for advances to purchasers should not be allowed to become exhausted. The Government would take care that this suggestion should receive serious consideration before the Bill passed through the other House. With regard to the suggestion that the Landed Estates Court should be merged in the Land Commission, he (Earl Cadogan) had been in communication with his noble and learned Friend (Lord Ashbourne) on the subject, and it also would receive their most serious attention. He had also to express his gratitude for the great generosity and forbearance with which he had been treated in moving the various stages of the Bill. He fully recognized the intricacy of its provisions—he knew well that, in many respects, it dealt with the interests of noble Lords in that House, and had made severe calls upon their self-denial and patriotism; but in many respects he believed it would have the effect of remedying the grievances and supplying the deficiencies of the Act of 1881—at all events, for a time. The other evening, the late Lord Chancellor (Lord Herschell), speaking of the changes that had been made in the Bill in their Lordships' House, remarked that all those changes had been made in favour of the landlords. Subsequently, however, the House adopted an Amendment, which was intended, and probably would have the effect of largely benefiting the tenants, and it would be to the detriment of the interests of the landlord. It was, therefore, very unfortunate that the noble and learned Lord had made his contribution to the discussion before he knew that the Government would accept that Amendment. He (Earl Cadogan) thought that everyone who looked at the Bill impartially would admit that, on the whole, considering the very large number of Amendments made at the various stages through which it had passed in that House, it was very remarkable that the Bill should, in its main principles, have been so little altered. The Government had limited themselves to two great objects—first, to bring the leaseholders into the benefits of the Act of 1881, and to reduce to a minimum what were known

sideration the other legislation that was being passed, they had thought it right to introduce provisions for that purpose. But the process of *fieri facias* was the common remedy of all mankind against people who did not pay their debts. If therefore they were to meddle with this remedy, they should be reduced to this dilemma—either they must abolish the process by which all mankind enforced debts and promises against each other, thus withdrawing entirely the compulsory sanction of the law from all pecuniary contracts of whatever kind; and in so doing, they would lay the axe at the root of anything like commercial honesty or commercial prosperity in Ireland; or, if they shrank from that extreme, which he well imagined they might, they must be guilty of the gross and indefensible partiality of taking away from the special debt of the landlord, the protection which every other creditor enjoyed. There was no escaping from that dilemma. He was sure the House did well to reject, and that it would continue to reject being placed on either horn of the dilemma contained in a doctrine so fatal to the commercial prosperity of Ireland and to the honesty of the law. That was the answer which they had given to the noble and learned Lord, and the House by an overwhelming majority had supported that view. He was quite convinced that the noble and learned Lord would never pursuade Parliament to treat landlords as if they had no legal rights, and that the remedy left open to the whisky-shop and the usurer was to be taken away from the owner of the land.

Motion *agreed to;* Bill read 3ª accordingly.

On Question, "That the Bill do pass?"

THE EARL OF MILLTOWN, in rising to move an Amendment to provide that all leases for years relating to holdings which, but for the fact that they are leaseholds, would be within the operation of the Land Act of 1881, should be broken on the requisition of the tenant only, said, he felt so strongly upon this point, that he should ask their Lordships to divide upon the Question. His object in moving the Amendment was to enlarge, and not to restrict the operation of the Bill, which, as it stood, only included leaseholders whose leases would expire within 60 years after the passing of the Act of 1881. Unless the initiative in breaking a lease were limited to the tenant, the landlord might break a beneficial lease to the injury of the tenant. Had the Government accepted the limitation of Griffith's valuation, as the Commission had recommended, this difficulty would not have arisen; but the Commission was unanimously of opinion that some such limit was necessary if both parties to a lease were to have equal rights in this matter. As the Bill stood, all leases within the fiscal limit would be broken, even when both landlord and tenant objected and preferred to remain as they were. This seemed to him both unnecessary and highly objectionable. Practically, of course, if the tenant was given the right to have his lease broken, the same power ought to be given to the landlord; but, practically, great difficulties stood in the way. The noble Marquess (the Prime Minister) had stated that the two main objects of the Bill were to put a stop to harsh evictions and to admit leaseholders to the benefits of the Act of 1881. If this measure would put a stop to harsh evictions, it would have the hearty support of all Irish landlords; but if Her Majesty's Government were going to break leases at all, he earnestly entreated them, when they were conferring a benefit on leaseholders, to do it graciously and generously. They had had enough of exceptions in the past. He did not hesitate to say that the Act of 1881 was a mischievous, and in many instances a futile enactment, but it would have had a far better chance, and the country would have been much quieter, had it not been for the exclusion of the leaseholders from the measure. If now they excluded even some of the leaseholders these men he was certain would continue the agitation which had been going on. He begged to move the Amendment of which he had given Notice.

Amendment *moved*,

In page 1, line 6, leave out from ("holding") to ("shall") in line 11, and insert ("which, but for being leasehold, would be within the operation of the Land Act of 1881, provided that he make application for the purpose in the prescribed manner and within the prescribed time)."—(*The Earl of Milltown.*)

EARL CADOGAN said, that the reason why the clause proposed to be amended by the noble Earl had been inserted in

the Bill was because by the Act of 1881 it was provided that leaseholders holding leases having less than 60 years to run should, at the expiration of their leases, and not until then, be placed in the position of present tenants. That constituted a grievance which, in the opinion of the Government, it was necessary to remedy, and they had therefore brought those leaseholders within the four corners of the clause. If they acceded to the Amendment and admitted all leaseholders to the benefit of this measure, they would be giving them a double right, which would not be given to those of the class to which he had referred. Therefore, the Government limited this clause in the Bill to the leases excepted by Mr. Gladstone from his Act of 1881, and that was all that they intended to do.

LORD FITZGERALD said, that the Amendment was similar to one which he had himself proposed, and he supported it on the broad merits of the case, contending that there was no reason why the benefits of the clause should not be extended to all leases, and that it was unwise to draw the hard-and-fast line which the Government proposed to do.

LORD HERSCHELL said, he had not so much familiarity with the Law of Ireland in regard to the 60 years' leases as the noble Lords who had spoken, and it might be well to bring in all leaseholders, seeing that it was undesirable to keep up distinctions between the various classes; but what he desired was that leaseholders should have the option of coming in under the Act, and therefore he would point out the extreme need for some such provision as that contained in the second part of the Amendment of the noble Earl. He would suggest a modification of the Amendment to the effect that instead of all leaseholders becoming present tenants, leaseholders were to become present tenants from time to time if they should make application for that purpose in the prescribed manner.

THE MARQUESS OF SALISBURY said, that the line must be drawn somewhere; for if they agreed to the Amendment, and removed the limit of 60 years altogether, there was nothing to prevent them including all leases from 60 years up to 1,000 years; and if they meddled with the clause and now inquired whether land let for 99 years ought to pay the rent originally agreed upon, they could not refuse to look at all the bargains for absolute purchase. Long leases were practically purchases, for there was no difference in essence between paying money down, and paying it by annuity as in the case of these leases, and if Parliament determined that their terms should be subject to alteration, it could not in fairness refuse to rip up perpetuity leases and all purchases for the last 100 years. That, however, was a different principle to that on which the Bill was founded. He did not say that 60 years was the right limit. In his opinion, a shorter period would be more desirable. But that period was put in the Act of 1881, and that was a sufficient basis on which to establish a distinction. With respect to the Act being put into operation at the request of the tenant or not, he should be content to leave it in all cases to the Court; but he did not think it was fair to say that the leaseholder should have an absolute right to break a lease, and that the man who grants the lease should not have that right. As a matter of justice, he thought that the Bill went far enough, and that they had better leave the clause as it stood.

On Question, "Whether the words proposed to be left out shall stand part of the Bill?"

Their Lordships *divided*:—Contents 42; Not-Contents 13: Majority 29.

Amendment *disagreed to*.

On Motion of Earl CADOGAN, Amendment made, providing that from time to time, a person, or persons not exceeding three, should be appointed to act with the Land Commission.

LORD HERSCHELL said, that, on a previous occasion, he pointed out, not as a matter of novelty, but as a matter requiring consideration, that this Bill, with the laudable object it had, would not necessarily accomplish the object which its authors had in view. It was said that it was impossible by legislation to prevent a landlord exercising the power of ejectment under a writ of *fieri facias*; but to say that, was to confess that the measure might be absolutely ineffectual to restrain the persons against whom it was directed. The power referred to was being exercised to a very

considerable extent now; and it was to be feared that the use of it would become much more extensive, and yet it was the power of these very persons which it was the professed desire of the Government to restrain in the public interest. Surely, some consideration ought to be given to the question, whether something should not be done to prevent landlords evading all the restraints supposed to be imposed upon them by this Bill, by forbidding them to have recourse to the remedy left open to them to evict their tenants. He could not help thinking that the fear of such further legislation was somewhat exaggerated. The rights of a landlord were already interfered with, when it was said that he should be restrained in the exercise of a legal right to enforce the payment of a debt, and that it should be paid by instalments. Would it really be doing greater violence for the sake of a great public object to go a little further, and prevent this measure being made ineffectual for the object in view?

THE MARQUESS OF SALISBURY said, that to discuss this matter when the time for discussing Amendments had passed by was, he was afraid, rather academical. They were in the presence of a serious dilemma; but they must expect to be in presence of dilemmas now that they had deserted the firm and well-known line of free contract, and gone into the marshy and uncertain morass of Government supervision by legislation. The noble and learned Lord had not given a quite fair description of the nature of the problem. He represented the Government as having already interfered with the landlord's right to enforce the payment of his debt. But the fact was, the landlord had at his disposal special machinery; and it so happened that in some recent cases that machinery had been misused, and there was a popular impression that it had been much more largely misused than it had been, and the supposed harsh and undue use of it had excited popular passion, and prevented the return of wholesome sentiments among the Irish population. The noble and learned Lord now said that the other remedy of the landlords would be misused, and would produce the same inconvenience as the abuse of the first-named remedy. His (the Marquess of Salisbury's) reply was, that if any formidable difficulties arose of the nature suggested by the noble and learned Lord, Parliament was always sitting, and the difficulties could always be considered and remedied. ["Not always!"] Well, so nearly as to make no practical difference. But it had not happened yet; and what had to be dealt with now were the maladies from which the patient was suffering. We could not now prescribe for the possible maladies from which he might hereafter suffer. Of course, it was possible that either remedy might be misused; but the noble and learned Lord did not sufficiently allow for the results of habit upon the various classes of the population, not only tenants, but also agents and landlords. He would especially speak of agents, for, with all respect to that class of men, they had given us more trouble than landlords or tenants had done. If agents had made a somewhat dramatic use of one remedy, it by no means followed they would resort to the same practices in applying the other, and that the second remedy would be discredited as the first had been, because these things were partially governed by tradition, feelings, and sentiments. But he would call the attention of the noble and learned Lord to the fact that there was another evil of which we ran great risk. If you deliberately placed on the Statute Book legislation which, on the surface of it, was obviously an unfair interference with one particular class, and if that class happened to be a class exposed to a certain amount of public opprobrium, and in its electoral strength the weakest, you were incurring the greatest risk of dangers far in excess of any evil that threatened us, that of destroying the Parliamentary justice on which alone the prosperity of the country could endure. The great danger at the present time was that there was a tendency to throw any Jonah into the sea in the hope of abating a storm. There was an inclination to argue at present as if those who were numerically the weakest had no rights, that their rights could be cut off one by one, it being a sufficient and conclusive answer to say that it was the will of the majority of the voters. Be the political system what it might, if that evil grew, our prosperity would be undermined, and it would crumble in the dust. In conclusion, he would say that the Government

had earnestly attempted in this measure to do that equal justice to all classes which seemed essential to the peace of Ireland. Any such change, however, as the noble and learned Lord had urged would effect a terrible breach in that equality of justice; and, in so doing, would introduce evils of a far greater and more dangerous kind than those the Bill was directed against.

EARL GRANVILLE said, that the evil which his noble and learned Friend (Lord Herschell) was understood to speak of was, in principle, interference with freedom of contract initiated by the Act of 1881. It was not necessary to go back to that Act, or to ask what would have been the condition of the country if it had not been passed. The question was whether the Government, having tossed that principle to the winds, could now consistently take up a *non possumus* position. It was all very well to talk about the principle of freedom of contract; but here was a Bill dealing with 150,000 leases; therefore, all arguments about freedom of contract must be pushed aside when that principle was put forward as a reason why they should not do that which was right in itself. As to the necessity for legislation of the kind referred to by the noble and learned Lord, the evidence of that necessity was furnished that very day by no fewer than three cases reported in *The Times* of that morning.

THE EARL OF WEMYSS said, he had no intention of entering at length into the Bill; but it had been quite correctly said by one of their Lordships that he did not view this Bill with any greater regard than he had viewed other Bills of the same kind. He should say "Not-Content" to the Motion, in order to content his conscience and to enter his protest against the Bill. He did not deny, any more than others, that there had been cases of eviction in Ireland where there had been great hardship; but in what relation of life would they not find hardship? There were harsh men everywhere—harsh landlords, harsh bankers, harsh butchers. The cases were on all fours. There was nothing exceptional in land. He ventured to say that for one case of unjust action of landlords in Ireland they could find 50 cases within a mile of that House. Why not, then, bring in a Bill here as well as for Ireland? He repudiated absolutely the idea that a measure of this kind—a measure of justice, as it was called—should be applied only with regard to those who held land, simply because in Ireland they had not been able to maintain law and order, and because these people who were the debtors shot their creditors. The agitators cared nothing for the tenants; they took up the land question simply as the best means of pursuing their policy of separating Ireland from Great Britain. He did not believe this Bill would be more successful than those which had preceded it; because that which was economically unsound could not be politically right.

Question put, and *agreed to.*

Bill *passed*, and sent to the Commons.

MARKETS AND FAIRS (WEIGHING OF CATTLE) BILL.—(No. 139.)

(*The Earl of Camperdown.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Camperdown.*)

In answer to the Earl of WEMYSS,

LORD BALFOUR said, it was an open question whether, under the law as it stood, weighing machines might not be forced on all Market Companies established under the Market Clauses Consolidation Act, and he referred to the case of the Llandaff Market Co. *v.* Lyon, in which case it had been decided that the word "article" covered certain classes of live stock.

Motion *agreed to;* Bill read 3ª accordingly, and *passed*, and sent to the Commons.

TRUSTS (SCOTLAND) ACT (1867) AMENDMENT BILL.—(No. 117.)

(*The Marquess of Lothian.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN), in moving that the Bill be now read a second time said, that its object was to enable trustees to grant reductions of rents to tenants of lands under the Trust, and let for agricultural and pastoral purposes only. Under clause 2 of the Act of 1887, wide powers were given to trustees, but it appeared that the extent of

those powers was not sufficiently defined to enable trustees to act with safety, and this Bill was introduced to enable trustees to act for the best interests of the tenants, and of the estate committed to their charge. The Bill further provided that the trustees, who had already taken action, should not be liable to challenge or be held responsible for such action to the beneficiaries under the trust.

Moved, "That the Bill be now read 2ª." —(*The Marquess of Lothian.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 4th July, 1887.

MINUTES.] — New Writs Issued — *For* County of Middlesex (Hornsey Division), *v.* Sir James Macnaghten M'Garel - Hogg, baronet, K.C.B., now Baron Magheramorne, called up to the House of Peers; *for* County of Cornwall (St. Ives Division), *v.* Sir John St. Aubyn, baronet, now Baron St. Levan, called up to the House of Peers; *for* County of Southampton (North or Basingstoke Division), *v.* Right honble. George Sclater-Booth, Chiltern Hundreds; Borough of Coventry, *v.* Henry William Eaton, esquire, Manor of Northstead.

New Member Sworn—Halley Stewart, esquire, *for* the County of Lincoln (Holland or Spalding Division).

Supply—*considered in Committee*—Civil Service Estimates; Class I.—Public Works and Buildings, Vote 4.

Public Bills — *Ordered* — *First Reading* — Life Leases Conversion * [310]; Agricultural Labourers' Holidays (Scotland) * [311].

First Reading—Land Law (Ireland) * [308].

Second Reading—Public Libraries Acts Amendment (No. 2) [220]; Parliamentary Elections (Seamen's Vote) [190], *debate adjourned;* Water Companies (Regulation of Powers) [141].

Report to Select Committee—Rutter Substitutes [No. 208].

Committee—Merchandise Marks Law Consolidation and Amendment (*re-comm.*) [304]—R.P.

Report — Oleomargarine (Fraudulent Sale) * [175-309]; Butter Substitutes * [48].

Considered as amended—Third Reading—Allotments and Cottage Gardens Compensation [306], and *passed.*

Third Reading—Consolidated Fund (No. 2) * Pauper Lunatic Asylums (Ireland) (Superannuation) * [62], and *passed.*

Provisional Order Bills—*Second Reading*—Elementary Education (Christchurch) * [296]; Education Department (London) * [298].

Report—Tramways (No. 1) * [257].

PRIVATE BUSINESS.

BELFAST MAIN DRAINAGE BILL (*by Order*).

LORDS' AMENDMENTS. [ADJOURNED DEBATE.]

Order read for resuming Adjourned Debate on Question [20th June], "That the Lords' Amendments be now taken into Consideration."

Question again proposed.

Debate *resumed.*

Mr. EWART (Belfast, N.): I beg to move that the Lords' Amendments be now taken into consideration. It will be in the recollection of the House that when the Bill was last before us it was postponed in order that time might be given to enable the Bill, which had already passed through this House, and which had been taken to "another place," in reference to the extension of the municipal franchise in the City of Belfast, to be passed. That Bill will, I believe, pass the House of Lords in the course of to-day. It will thus be seen that the promoters of the Main Drainage Bill have done all in their power to carry out the arrangement which was proposed by the hon. Gentleman opposite, the Chairman of Ways and Means, and I have now to ask the House to pass the present Bill. I am sorry that we are not to have the presence here to-day of the hon. Member for West Belfast (Mr. Sexton), who has taken a very active part in opposition to this Bill. [*Cries of* "No!" *from the Irish Benches.*] If the hon. Member were present, I think it is probable he might object that certain Amendments have been introduced into the Municipal Franchise Bill which affect the Drainage Bill; but the House will remember the remarkable circumstances under which that Bill passed through Committee some weeks ago at a quarter to 3 o'clock in the morning; and hon. Members will not be surprised to learn that the Amendments which were made on that occasion rendered the measure quite unworkable.

The Bill itself dissolved the Municipal Council of Belfast; but it provided no machinery whatever for making a new Burgess Roll. At present, under a Local Act, the landlords of houses of £8 value and under are rateable and liable to pay the taxes, while the names of the occupiers do not appear on the Rate Book at all. In future, it is provided that the occupiers must be rated. The present Burgess Roll contains the names of some 6,000 persons, and it is provided that the Mayor, assisted by two assessors, shall revise the list. They have been able to make up the roll satisfactorily in the past; but it is not pretended that they can deal satisfactorily with a list containing five times the present number of names, for it is estimated that the new register will contain some 30,000 names. In order to meet the difficulty power is given in the Bill, as amended, to employ five Revising Barristers to make up the Burgess Roll of the borough, and the cost will have to be defrayed by the town. The Bill also provides for the renewal of the Council year by year; but as it is impossible to have a new Burgess Roll ready by November next, the operation of the Bill has been postponed for one year. In taking that course the precedent has been followed of a similar Bill introduced some years ago in reference to the City of Dublin, which measure passed this House about the same time of year as this. One of the provisions of that measure enacted that the Bill should not come into operation until the year following. These clauses may be objected to by the Friends of the hon. Member for West Belfast; but they are inevitable, and no change has been made in the Bill that could be avoided. However, in order to meet the wishes of the hon. Member, and, I believe, the feeling of the House also, a clause has been introduced into the Franchise Bill to provide that no steps should be taken in regard to the carrying out of the works in connection with the main drainage scheme until a meeting of the ratepayers shall have been held—as is held in England under the Public Health Act—and their consent obtained. That meeting of the ratepayers will be upon the list of 30,000, and it will be for that meeting to direct whether the Bill is to come into operation. It will be for the ratepayers to say whether the drainage scheme shall be proceeded with at once, or whether the works shall be postponed until the New Town Council are fully elected. It will also be in the power of the ratepayers to say to what extent the provisions of this Bill are to be carried out; and, in fact, this meeting of the ratepayers will have full power over the whole of the scheme. That clause will appear in the Franchise Bill when it comes down from the House of Lords, and I have given Notice to introduce, after Clause 33a in the Main Drainage Bill, the following Clause:—

"No action shall be taken or liability incurred in respect of the works by this Act authorized unless or until the execution of such works has the consent of the owners and ratepayers of the borough to be expressed by Resolution in the manner directed by Schedule III of the 'Public Health Act, 1875,' which, for the purpose of such Resolution, shall be read and have effect as applicable to the borough."

By this means assurance will be made doubly sure, and I appeal to the Friends of the hon. Member for West Belfast to receive an assurance from me that the Franchise Bill will be at once proceeded with, although I am not sure whether the Forms of the House will allow it to be taken to-night or to-morrow. When that Bill shall have been passed, I hope that an end will be put to these disagreeable proceedings, and I believe that the hon. Member for West Belfast and his Friends will find that all their wishes have been carried out by the clauses which have been inserted in that measure. It is not necessary that I should press upon the House the importance and urgent necessity of proceeding as rapidly as possible with these main drainage works. The scheme has received the approval of Committees of both Houses of Parliament, and, after having undergone the most minute inquiry, it has at length run the gauntlet of an investigation by the regular tribunals of Parliament. It was opposed by certain ratepayers a few weeks ago; but they signally failed in their efforts to get another scheme substituted, although, when their scheme was reached, they were clamorous for the hasty execution of the work, and endeavoured to induce the Chairman of Committees to put in a five years' limit for the execution of the works, instead of seven years, as the Committee of the House of Commons had decided. I hope the House will support me

in the Motion I now make for the consideration of the Lords' Amendments.

Motion made, and Question proposed, "That the Lords' Amendments be now considered."—(*Mr. Ewart.*)

MR. M. J KENNY (Tyrone, Mid): The hon. Member for North Belfast (Mr. Ewart) has expressed his regret at the absence of my hon. Friend the Member for West Belfast, and I have no doubt the hon. Member will anticipate the Motion I am now about to make, and which I feel compelled to make, owing to the unavoidable absence of my hon. Friend from the House to-day —namely, that the consideration of the Lords' Amendments be deferred until Thursday next. I would ask the House to adopt that Amendment, because I believe it is absolutely impossible to discuss the Lords' Amendments to the Belfast Main Drainage Bill in a proper and thorough manner in the absence of my hon. Friend, who for more than 12 months has devoted so much of his attention and ability to the consideration of this measure. The hon. Member opposite spoke of my hon. Friend as having taken an active part in opposition to the Bill. I believe my hon. Friend has over and over again explained in this House that he has never opposed the Bill. There is all the difference in the world in giving a general opposition to a measure, and from time to time moving Amendments in this House in order to secure that the measure, when passed, shall be properly executed, and that the works shall be under the full control of the ratepayers. My hon. Friend has simply moved Amendments in this House from time to time to the effect that the consideration of the measure should be postponed, and on every occasion on which he has moved an Amendment to that effect the Amendment itself has been adopted by the House. It is, therefore, somewhat unfair on the part of the hon. Member for North Belfast to say that my hon. Friend is again prepared to oppose the Bill, except in the way of moving Amendments to secure the full control of the inhabitants over the execution of the works. This Bill has come down from "another place," where a variety of Amendments have been introduced, nearly all of which are of importance, and many of which vitally affect the character of the Bill. The hon. Member proposes to move that—

> "No action shall be taken or liability incurred in respect of the works by this Act authorized unless or until the execution of such works has the consent of the owners and ratepayers of the borough to be expressed by Resolution in the manner directed by Schedule III. of 'The Public Health Act, 1875,' which, for the purpose of such Resolution, shall be read and have effect as applicable to the borough."

I would ask the House to consider the extreme inadvisability of adding to a Private Bill of this kind the 3rd Schedule of the Public Health (England) Act, in order to secure the adoption of the machinery provided by that Act in the carrying out of the works which are to be authorized by the present Bill. I believe that the English Public Health Act of 1875 is altogether inapplicable to the Belfast Main Drainage Bill. I maintain that the machinery for carrying the Act into effect should be provided in the Bill itself, and that all the proceedings should be taken under the Act itself, instead of being left to a public meeting, which will probably be clamorous, and will almost certainly fail to represent the calm and general voice of the ratepayers. I feel that such a proposal to hold a public meeting will result in a conclusion being arrived at in a disturbed atmosphere, and that, consequently, it is totally unsuitable for the carrying on of an undertaking of this kind. It will be infinitely better to have the proceedings guarded by the votes of the ratepayers and by the persons they send to represent them in the Belfast Town Council. The Amendment which my hon. Friend the Member for West Belfast succeeded in carrying on a former occasion provided that before any steps were taken under this Bill, if it became law, the Belfast Corporation should be altogether re-elected and reconstructed, so that the whole 30,000 ratepayers of Belfast should have a voice in the selection of their representatives. That Amendment has been struck out of the Bill, and the result may be that, notwithstanding the Amendment of my hon. Friend, proceedings under the main drainage scheme may be instituted and a large expenditure, in the first instance, incurred under the old municipal franchise which comprises 5,000 of the ratepayers of Belfast only, who are the sole persons who at the present

moment have a right to vote for members of the Town Council. The hon. Member for North Belfast says it is a matter of urgent necessity that the scheme should be proceeded with at once, and he appeals to the House to pass this measure without further delay. I cannot believe there is such an absolute amount of urgency as would be injuriously affected by the postponement of the Bill for some 72 hours, which is about the distance of time my proposition to postpone the consideration of the Lords' Amendments involves. I am fully aware of the indulgence which the House has at all times extended upon this measure to Motions which have proceeded from this quarter of the House, and I believe that on no occasion have we done anything to abuse the confidence which has been reposed in us. I trust the House will recognize that in the absence of my hon. Friend the Member for West Belfast, who for so long a time has taken such a deep interest in this question—it would be unfair, especially when he is absent from an unavoidable cause, that the consideration of the important alterations which have been made in the Bill in "another place" should be gone into. Under these circumstances, I would ask the House and the hon. Member opposite who has charge of the Bill to accept my proposal, and take the consideration of the Lords' Amendments on Thursday next.

Amendment proposed, to leave out the word "now," and add the word "Thursday."—(*Mr. M. J. Kenny.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. DE COBAIN (Belfast, E.): I wish to make one or two remarks before the House comes to a decision. I think it would be for the interest of everybody that the consideration of the Lords' Amendments should be postponed as suggested by the hon. Member for Mid Tyrone (Mr. M. J. Kenny) so that we may have an opportunity of understanding the scope of the Amendments which have been moved in the House of Lords. The principal point at issue now is the time when the present Bill shall come into operation, and the mode by which it shall be brought into operation. I think that if we had the Franchise Bill which is now before the House of Lords, and which we are told may reach us in this House in the course of to-day—I think it is very possible we might have some common ground of agreement more removed from the region of debate in regard to the franchise question than the position in which we now find ourselves. I therefore hope that hon. Members who have charge of the Bill will consent to a further adjournment until Thursday. It is a very moderate and fair demand considering the fact that the Bill has already been adjourned from time to time in order to await the Franchise Bill, and it is only reasonable that the full scope and character of the Franchise Bill which is about to reach us from the House of Lords shall be thoroughly understood before we come to a final decision upon the Drainage Bill. I take it that the previous decisions of this House have undoubtedly been given upon the basis that there shall be popular control over public expenditure. I look upon that as a fair and just principle, and, therefore, I think it is possible that we may find some common ground of agreement when the Franchise Bill reaches us in an amended state from the House of Lords, and in that case there will be no further barrier to the passing of the Drainage Bill. Under these circumstances, I would respectfully urge upon the promoters of the Bill the propriety of consenting to the further postponement of the consideration of the Lords' Amendments.

THE CHAIRMAN OF COMMITTEES (Mr. COURTNEY) (Cornwall, Bodmin): I must say that I think the promoters of the Bill are somewhat hardly used in being asked to consent to a further adjournment. [General Sir GEORGE BALFOUR: No, no!] If my hon. and gallant Friend will wait before giving a hasty expression to his opinion, I think he may find himself somewhat disappointed as to the tenour of my observations. I was about to say that there is only one serious reason why the consideration of the Bill should be postponed—namely, the absence of the hon. Member for West Belfast (Mr. Sexton). All the rest of the reasons advanced by the hon. Member for Mid Tyrone appear to me to be extremely immaterial; but I cannot forget that no hon. Member has taken a more prominent part in the debates upon the Drainage Bill than the hon. Member

for West Belfast, and inasmuch as we are now only asked for an adjournment until Thursday, although I sympathize with hon. Gentlemen who are promoting the Bill, I think the House would do well to consent to the adjournment.

MR. JOHNSTON (Belfast, S.): I trust that if a further postponement of the Bill is accepted the House will come to some distinct understanding upon the matter. We have had more than one undertaking already which has invariably been set aside. We find ourselves in the same condition now, and I do not think that my hon. Friend the Member for North Belfast ought to accede to the proposal of the hon. Member for Mid Tyrone unless there is a positive undertaking that there will be no further attempt to postpone the consideration of the Lords' Amendments.

MR. M. J. KENNY: I think I may safely give an undertaking on the part of my hon. Friend the Member for West Belfast, that on Thursday he will offer no objection to the Motion for proceeding with the consideration of the Lords' Amendments.

MR. EWART: Then I, for one, will not object to the proposal to postpone the consideration under the circumstances. I attach great weight to what has fallen from the Chairman of Ways and Means.

Question put, and *negatived.*

Word "Thursday" *added.*

Main Question, as amended, put, and *agreed to.*

Lords' Amendments to be taken into Consideration upon *Thursday.*

QUESTIONS.

—o—

WAR OFFICE — ARMY SURGEONS — DATES OF COMMISSIONS.

DR. FARQUHARSON (Aberdeenshire, W.) asked the Secretary of State for War, Whether it is true, as stated in *The British Medical Journal* of 25th June, that the commissions of Army surgeons are dated after leaving Netley; whereas surgeons in the Indian Army and also in the Navy have their commissions dated, the Indian surgeons from the day of joining at Netley, and the Naval surgeons from the day of joining at Haslar; whether this gives both Indian and Naval surgeons an advantage of four months' seniority over the Army surgeons who pass the same competitive examination at Burlington House with them; and, whether he will undertake to do away with this distinction between the medical officers commissioned for duty in the three public Services of the Army, Navy, and India?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: The facts are as stated in the hon. Member's Question. Whether the Army surgeons experience any practical inconvenience from the antedate given to Indian and Naval surgeons may be doubted. I quite agree, however, that the difference of treatment in the several Services is anomalous; and as I fail to see why probationers under instruction should have the advantages intended for surgeons doing actual duty, I think that the best way to remove the anomaly would be for the Admiralty and the India Office to follow, in future appointments, the practice of the War Office.

BOARD OF NATIONAL EDUCATION (IRELAND)—MR. FITZGERALD, LATE INSPECTOR.

MR. R. POWER (Waterford) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that Mr. Fitzgerald, formerly Inspector under the Board of National Education, was summarily removed from the office which he held for nearly 25 years on the charge of having unjustly claimed 5*s.* 6*d.* as travelling expenses; can he say whether any other charges of a more serious nature were brought against him at the inquiry into his case, held by two Inspectors on the 17th of January, 1879; why, whilst letters and documents of an incriminatory character are contained in the Return which has been laid upon the Table of the House, the statement, which was handed in to the Education Office on the 7th of May, 1886, and its receipt acknowledged on same day, as is shown on pages 57 and 58 of the Return, which contained matter of vital importance to Mr. Fitzgerald's vindication, in which he denies the allegations made against him, and disproves them by sworn declarations of creditable witnesses, and in which he asserts that these allegations have been concealed from his knowledge for seven years, finds no place in the Return, although by order of the House all documents connected with the case should be found furnished in it; and, will he say why Mr. Fitzgerald has been

so long and so persistently refused an opportunity of being personally heard in his own defence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The hon. Member will find at page 13 of the Parliamentary Paper the order of the National Education Board dismissing Mr. Fitzgerald and giving their full reasons for so doing. The statement alluded to appears to have been a printed pamphlet published by Mr. Fitzgerald, a copy of which was forwarded to the Education Office by his solicitor on the 7th of May, 1886, to whom it was returned, on the 12th of May, by the Commissioners, with a copy of their order relative thereto, which was to the effect that the case having been already fully considered they must decline to re-open it. As this further statement of Mr. Fitzgerald's was not retained by the Commissioners, it could not be included in the Return to the order of the House, dated May 31, 1886. Mr. Fitzgerald was afforded full opportunity at the inquiry which led to his dismissal, and subsequently to dismissal, to defend himself, as the Parliamentary Return shows.

MR. J. E. REDMOND (Wexford, N.): In reference to the answer which the right hon. Gentleman has just given, would he permit me to put a further Question? Whether it is a fact there have been some recent cases of serious charges of defalcation of large amounts by Inspectors of the Board; and whether in some of these cases the offence was not passed over with a caution?

MR. A. J. BALFOUR: I am afraid I could not answer that Question without Notice. I may remind the hon. Gentleman that this case of Mr. Fitzgerald has been reviewed by successive Governments.

DISPENSARIES (IRELAND)—DISPENSARY DISTRICT OF KILSHANNIG,

MR. EDWARD HARRINGTON (Kerry, W.) (for Mr. T. C. HARRINGTON) (Dublin, Harbour) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that the medical officer of the dispensary district of Kilshannig has been passed over in the appointment of medical attendant on the Constabulary stationed at Ballyknockan, near Mallow; and, whether it is the usual custom in the Force to appoint the medical officer of the district; and, if so, why the medical officer of another district has been appointed in this case?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It is usual to select, as Constabulary medical attendant, the dispensary officer of the district, when he is found to be the most eligible; but not otherwise. In the case alluded to in this Question the dispensary officer was not appointed, as he was not considered to be the most eligible. The vacancy appears to have occurred in November, 1885. A doctor in Mallow was selected. The appointment was made solely in the interest of the Public Service, and had the approval of both officers and men. The Rule giving a doctor a certain priority of claim to the medical charge of the police situate within his dispensary district was cancelled in 1883.

INDIA—THE NATIVE STATE OF MARWAR.

MR. S. SMITH (Flintshire) asked the Under Secretary of State for India, Whether his attention has been called to complaints of the administration of the Native State of Marwar, and of the action of our Political Agent there, and of a native official whom he has appointed Prime Minister; and, whether he will direct an inquiry to be made as to the justice of those complaints?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): No Report has been received from the Government of India on the alleged maladministration in the Native State of Marwar. The attention of the Government of India will be called to the Question of the hon. Member, and they will be requested to submit a Report for the information of the Secretary of State.

PIERS AND HARBOURS (IRELAND)—TRALEE HARBOUR BOARD.

MR. EDWARD HARRINGTON (Kerry, W.) asked the Secretary to the Board of Trade, Whether it is true that at a meeting of the Tralee and Fenit Pier and Harbour Board, held on the 24th instant, there were only three members in attendance; whether the chair on that occasion was occupied by Mr. Robert M'Owen, J.P.; whether it is true that Mr. S. M. Hussey, without

notice, proposed for adoption, as a member of the Board, Mr. M'Owen, junior, the son of the chairman, and that when the third member present, Mr. E. R. Murphy, refused to second the nomination, it was seconded by Mr. M'Owen, the chairman; whether, under these circumstances, it is the intention of the Board of Trade to sanction the co-opting of a member in such a manner; and, whether it be true that this Board is responsible for an amount of £95,000 to the Treasury?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Board of Trade have no control over, and their sanction is not required to, the appointment of any of the Tralee and Fenit Pier and Harbour Commissioners, except in the case of the one Commissioner whom, in pursuance of the Order regulating the Harbour, they themselves appoint. That Commissioner is not one of the gentlemen named in the hon. Member's Question. From the audited accounts of the Commissioners, it appears that the Board of Public Works have agreed to advance to the Harbour Commissioners the amount named by the hon. Member.

MR. EDWARD HARRINGTON: Would the hon. Gentleman be able to tell me who is responsible in this House for any irregularities that may be brought to light with regard to a Body which has at present a loan of £95,000 of public money?

BARON HENRY DE WORMS: I am afraid that would be the act of the Commissioners themselves. The Board of Trade have no control whatever except over one Commissioner.

BARBADOES.

MR. KIMBER (Wandsworth) asked the Secretary of State for the Colonies, Whether his attention has been drawn to the debate in the Legislative Council of Barbadoes, on 29th December, 1886, wherein, according to *The Barbadoes Agricultural Reporter*, 7th January, 1887, it was admitted by Members on both sides that the credit of the Colony was being pledged in support of a Water Company, which had issued a prospectus containing statements not in accordance with fact or probability; and that it was alleged that the scheme of the Company was unnecessarily costly, and that the Colony was unlikely to be able to bear or pay the subsidy granted for the project; and, whether, having regard to the at present unsuccessful financial result of the Barbadoes Railway, a Company similarly subsidized, he will use his authority with the Governor of Barbadoes to prevent the credit of the Colony being pledged, and the money of English investors being subscribed without further examination into the circumstances?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): I have been informed that in a debate in the Legislative Council of Barbadoes on the 29th of December, 1886, on a Bill to extend the time fixed by a previous Act for commencing the works of the Barbadoes Water Supply Company, certain Members of the Council made speeches to the effect stated in the Question. The subsidy to the Company having been granted by an Act of the Colonial Legislature, subject to the Company fulfilling the conditions required by the Act, the Governor has no power to prevent its being paid if those conditions should be fulfilled, and it is not his duty to interfere with the subscription for shares in the Company.

NATIONAL EDUCATION (IRELAND)—A GRIEVANCE OF THE NATIONAL TEACHERS.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it has been made known to the Commissioners of National Education in Ireland the general dissatisfaction existing among the national teachers because the results of the examinations of teachers are not sent directly to themselves; and, whether the Commissioners will in future make arrangements to have the results sent in the first place to the teachers who have been examined?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioners of National Education are aware of the desire of national teachers that the results of their examinations should be notified to them direct, and not to their managers. The Commissioners cannot, however, undertake to alter their practice in this matter, which is in accordance with their established rule not to correspond directly with teachers.

MR. M'CARTAN asked, could not the results be sent to the teachers as well as to the managers?

MR. A. J. BALFOUR: The Rule on the subject—No. 243 (*a*)—is definite, and is as follows:—

"The Commissioners will not correspond directly with teachers of national schools."

I am afraid they could not carry out the request of the hon. Member without violating this Rule.

THE SUGAR BOUNTIES — NEGOTIATIONS FOR A CONFERENCE.

MR. KIMBER (Wandsworth) asked the Under Secretary of State for Foreign Affairs, Whether any further progress had been made in the negotiations with Foreign Powers for a Conference on the subject of the Sugar Bounties?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Her Majesty's Government have already instructed Her Majesty's Representatives to invite the Foreign Governments interested to a Conference on the condition of the Sugar Industries, and on questions connected with them.

NATIONAL EDUCATION (IRELAND)—COMMISSIONERS—SUPPLY OF SCHOOL BOOKS.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any inquiry has been made by the Commissioners of National Education in Ireland as to the alleged proposals made to the National School Teachers of Belfast, on behalf of the late printer to the Board, to supply certain school books at a rate of 10 per cent under the Board's present prices, and if he will state what has been the result of such inquiry; and whether, under the circumstances, the Commissioners will take into consideration the desirability of sanctioning in their schools the use of books which are in every respect as good as those now supplied, and which will effect a saving of 10 per cent to the children of the poor?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the Commissioners of National Education had not felt themselves called upon to make such an inquiry as that referred to in the Question, inasmuch as they had a contract for five years to supply all books. As regarded the second portion of the Question, he might remind the hon. Gentleman that it would not affect the children of the poor, and would only enable the teachers themselves to make a profit out of selling these books.

WAR OFFICE (ORDNANCE DEPARTMENT)—SUPPLY OF POWDER IN STORE.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether his attention has been directed to the following statement in the Report of the Royal Commission on Warlike Stores:—

"In reply to the question 'Has the supply (of powder for heavy guns) in store ever been a dangerously small quantity?' the Superintendent of the Royal Gunpowder Factory stated 'I have no doubt whatever that there has never been anything like enough.' And Sir W. Armstrong said 'Personally I feel really uneasy upon the state of the case. There is only one factory besides the Royal Powder Factory that is capable of producing brown cocoa powder. I feel sure that in the event of War there would not be an adequate supply forthcoming of that kind of powder. At present nearly the whole supply is obtained from abroad. . . . Our old fashioned arrangements at Waltham are contemptible, considering the requirements we may have to make upon them;'"

how long this condition of affairs has existed; and, what steps have been already taken to secure an adequate supply, and one independent of foreign manufactories?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): My attention has been drawn to the statements referred to in the hon. Member's Question, and Sir William Armstrong himself was good enough to have an interview with me upon the subject. It is true that at one time the store of powder for heavy guns was in a low condition; but special provision was sanctioned by the Treasury to meet the case. We have at this moment in store and under manufacture a good supply of powder for heavy guns; and the manufacture of powder will proceed, it is expected, *pari passu* with the manufacture of the guns themselves. I am also in communication with the Admiralty at the present time as regards our future requirements, which, no doubt, will be very heavy. The introduction of late years of heavy ordnance requiring new and special powders, all of

which have had to be subjected to numerous trials, has necessarily caused some delay in manufacture. Until recently we have had to depend on Germany for the supply of a certain class of powder for heavy guns; but arrangements have now been made which will insure its manufacture in this country. I think that Sir William Armstrong would readily admit that circumstances have changed since he gave his evidence; and certainly if he were now to visit Waltham he would not describe it as he did.

THE PARKS (METROPOLIS) — THE BATHING LAKES IN VICTORIA PARK.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the First Commissioner of Works, Whether he is aware that the bathing lakes in Victoria Park are in a foul condition; and, whether he will take immediate steps to cleanse them?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The new bathing lake in Victoria Park was cleaned out last year, and a coating of fresh gravel was spread all over the bottom. The old bathing lake has not been cleaned out for some time; but I cannot admit that it can be fairly described as being in a foul condition. Fresh water is turned on every evening at 8.30, and is allowed to run until next morning. Both lakes are full up, and the water is running over the overflow. It is not intended to take any steps for cleaning either lake this year.

MR. PICKERSGILL: The right hon. Gentleman denies that the lakes are foul. I should like to ask him whether he will accompany me to Victoria Park some morning about 5 o'clock, and see for himself?

MR. PLUNKET: If the hon. Gentleman wishes me to accompany him on a bathing expedition I must respectfully decline.

NAVY—DEFICIENT SUPPLY OF GUNS.

MR. R. W. DUFF (Banffshire) asked the First Lord of the Admiralty, If he can state to the House the number of Her Majesty's ships at present delayed in fitting out, in consequence of the non-fulfilment on the part of the War Office to supply guns up to the date promised; and, when he expects to be able to carry out the policy approved by both the late and the present Government of enabling the Admiralty to obtain guns for the Navy independently of War Office control?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The following ships are delayed for receipt of guns:—The *Collingwood*, at Portsmouth, and the *Hero*, *Rodney*, and *Severn*, at Chatham. It is, however, only fair to add that the delay is common both to guns manufactured by contractors outside Woolwich, as well as to those made at Woolwich. The policy of handing over to the Admiralty the responsibility of obtaining their guns independent of War Office control, was assented to by the late Government; but the difficulties accompanying the transfer were not fully investigated. Since then we have gone very fully into the subject; and the difficulties are of such a nature that, until they can be economically solved, we are not prepared to undertake that responsibility. The whole question as to the position in which the Ordnance Department should stand to the Services it supplies has been raised by the Report of Mr. Justice Fitzjames Stephen's Commission, and is now engaging the attention of the Government.

CRIMINAL LAW AMENDMENT (IRELAND) BILL—AMENDMENTS.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) asked the Chief Secretary to the Lord Lieutenant of Ireland, with respect to two Notices of Amendments in the Criminal Law Amendment (Ireland) Bill, which stood on the Notice Paper of the 30th June for discussion on the Report of the Bill, namely—

(1) Clause 2, page 4, line 19, after "Law," insert,—"Provided that an agreement or combination by two or more persons to do any act relating to the letting, hiring, using, or occupying of any land, or to dealing with, working for, or hiring any person or persons in the ordinary course of trade, business, or occupation, shall not be chargeable as a conspiracy, if such act committed by one person would not be punishable as a crime; and"

(2) Clause 7, page 10, line 1, after "offence," insert "if it be proved to the satisfaction of tribunal before whom such person is tried that such association, at the time of the commission of the alleged offence, was in fact a dangerous association as defined by the sixth section of this Act;"

whether Her Majesty's Government are willing that these Amendments, or either

of them, should in terms or in substance be incorporated in the Bill?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am asked whether the Government are prepared to introduce into the Criminal Law Amendment (Ireland) Bill two Amendments of great importance which stood in the name, I think, of the late Attorney General for England (Sir Charles Russell). The right hon. Gentleman will probably have anticipated that I cannot answer either Question in the affirmative. It is impossible, of course, to make a full statement of the reasons of the Government at this time. But I may remind the House, with reference to the first Amendment, that we have always stated that, in our opinion, there were grave objections to making this Bill the occasion of a revision of the existing Law of Conspiracy; and with reference to the second Amendment, that the very essence of the proposals of the Government relating to dangerous associations was that the determination as to whether a particular association came under the definition of a dangerous association should be left, subject to Parliamentary control, to the responsible Ministers of the Crown.

POOR LAW (ENGLAND AND WALES)—BOARDING OUT OF PAUPER CHILDREN.

VISCOUNT WOLMER (Hants, Petersfield) asked the President of the Local Government Board, Whether, in view of the recent removal of pauper children from the houses where they were boarded out in Denmead, Hants, it is in contemplation to issue such Revised Regulations for the boarding out of pauper children as may tend to prevent such occurrences for the future; whether, in any future Regulations, provision may be made for the regular medical inspection of boarded-out children, and also for the subjection of the work of the Local Committees to systematic inspection by the Local Government Board in place of regular supervisal only by constantly changing committees of the Board of Guardians; and, whether there is any objection to laying at once upon the Table of the House the Reports of Miss Mason subsequent to her Report published in the Local Government Annual Report for 1885-6?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): If the Local Government Board were empowered to issue Regulations to prohibit the Guardians of a Union removing from foster parents the children who have been placed out with them, the Board would not be prepared to do so. It must not be lost sight of that the Guardians of the Union at whose cost a child is boarded out are primarily responsible for the child; and it appears to me that the Guardians could not properly be deprived of the right to require its removal when they are dissatisfied with the Boarding-Out Committee under whose care the child has been placed, or with the conditions connected with the home of the foster parent with whom the child is living. The Board do not contemplate the issue of any Regulations which would require regular medical inspection of children boarded out under Boarding-Out Committees. The Regulations provide for reporting to the Guardians, and also to the Boarding-Out Committee the illness of a boarded-out child; and the agreements entered into between the Committees and the Guardians contemplate the payment by the Guardians of a certain sum per child in consideration of the Committee making suitable arrangements with a duly qualified medical man for attendance upon the children in case of sickness, and for the supply of the necessary medicine. Moreover, the agreements provide that the Boarding-Out Committee shall visit each of the children placed with a foster parent at the home of the child not less often than once in every six weeks, and send a Report to the Guardians of the apparent bodily condition of the child. It has been the practice of the Local Government Board to arrange from time to time for an inspection, by one of their officers, of boarded-out children, with the view of testing the manner in which Boarding-Out Committees were discharging the duties undertaken by them, and at present I can give no assurance that more than this will be done. One of the main objects of the boarding-out system is that pauper children should become merged in the general population; but if a child boarded out is to be examined regularly by a medical man, supervized by a Committee of the Guardians, and inspected

by a Government Inspector, it would appear to imply that no confidence whatever is to be placed in the Boarding-Out Committees under whom the children are placed, although for any success attending the boarding-out system it is on these Committees that we must rely. The General Report of the Inspector, with reference to children inspected by her during the past year, will shortly be submitted to Parliament; but I do not propose to present the Reports on individual children which have been received by the Board. These Reports have been sent to the Boards of Guardians and the Boarding-Out Committees interested.

MINES REGULATIONS—REPORTS OF INSPECTORS OF MINES, WITH STATISTICS.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked the Secretary of State for the Home Department, Whether, inasmuch as the Reports of the Inspectors of Mines with the Statistics (the individual Returns for which are sent up to the Home Office on or before 1st February in each year), were laid before Parliament on the undermentioned dates,—for 1884, presented (in dummy) 20th May, and distributed 8th July 1885; for 1885, presented (in dummy) 7th June, and distributed 5th August 1886; for 1886, presented (in dummy) 30th June 1887; and, therefore, the facts of one year are not accessible to the House until towards the end of the Parliamentary Session of the next, he will arrange for a more prompt presentation and distribution of the Reports and Statistics in future?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said, he understood that the last individual Report reached the Home Office on the 20th April; that some plans, which took a longer time to print than letterpress, arrived even later; and that the last instalment of proofs was sent to the Press on the 15th June. The length of this period was accounted for by the fact that each individual Report must go to the Inspectors for revision. The Inspectors corrected their proofs with great rapidity, and the rest of the delay was to be accounted for by delay on the part of the printers. Every effort was made by the Home Office to hasten the printing, and no effort should be spared in future to secure early presentations of these Returns.

ISLANDS OF THE PACIFIC—SALE BY GERMANS OF ARMS AND INTOXICATING LIQUORS TO THE NATIVES.

MR. W. A. M'ARTHUR (Cornwall, Mid, St. Austell) asked the Under Secretary of State for Foreign Affairs, Whether any complaints have reached the Government of the sale, by German traders in the Pacific, of arms and intoxicating liquors to the natives; whether it is true that Englishmen are absolutely prohibited from engaging in this trade; and, whether the Government can undertake to make such representations to the German Government as may induce them to put a stop to this traffic?

THE SECRETARY OF STATE FOR THE COLONIES (Sir HENRY HOLLAND) (Hampstead) (who replied) said: Complaints have occasionally reached Her Majesty's Government of the sale of arms, and, more rarely, of the sale of intoxicating liquors, by Germans to Natives in the Western Pacific. In reply to the second part of the Question, I have to state that British subjects are absolutely prohibited from engaging in both trades, under Regulations issued by the High Commissioner for the Western Pacific. The question of arriving at an international agreement for regulating the arms and liquor traffic throughout the Western Pacific has engaged the serious consideration of previous Administrations, and the German Government has expressed its readiness to join in such an agreement. It is further understood that within the territories recently annexed by Germany the traffic in arms and spirits is forbidden. The hon. Member will, therefore, see that Her Majesty's Government have no reason to complain of the attitude of the German Government in the matter; but I should be glad if he would bring any special cases he has in view to the notice of the Colonial Office.

POOR LAW (ENGLAND AND WALES)—BOARDING OUT OF PAUPER CHILDREN.

VISCOUNT WOLMER (Hants, Petersfield) asked the Secretary to the Local

Government Board, Whether it is true, in connection with the recent boarding out case at Denmead, Hants, that the Vicar of Denmead, the Reverend F. C. Green, requested the Local Government Board to grant an inquiry into the circumstances of the case directly the charges were made by the St. Pancras Vestry as to the treatment of the children; and, whether such inquiry was refused as unnecessary?

THE SECRETARY (Mr. LONG) (Wilts, Devizes): It is the fact that the Vicar of Denmead asked the Board to grant an inquiry into the allegations made by the St. Pancras Guardians; but the several children boarded out with the Denmead Boarding-Out Committee were inspected by Miss Mason, the Board's Inspector, in the early part of the present year, and there was no question as to the accuracy of her Report, Mr. Green, the Vicar of Denmead and Secretary to the Boarding-Out Committee, having written—

"We are bound to acknowledge that the Report of Her Majesty's Inspector is perfectly fair and moderate, the circumstances being quite as bad as she has described them."

The Board, under these circumstances, did not consider that it was necessary that they should direct a second inquiry by their Inspector with regard to those children.

WAR OFFICE—THE BRENNAN TORPEDO.

SIR WILLIAM CROSSMAN (Portsmouth) asked the Secretary of State for War, Whether his attention has been called to an article in the journal *Engineering* of the 24th June last, purporting to give a detailed description, with drawings, of the Brennan torpedo, for the secret of which torpedo the Government has guaranteed to the inventor the sum of £110,000, a large portion of which amount has already been paid?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I am not myself acquainted with the secret of the Brennan torpedo; but I am assured that there is nothing in the article in *Engineering* which may not have been derived from information open to the public.

Subsequently,

SIR WILLIAM CROSSMAN asked, whether the description given in the articles in question was not of such a nature as to enable any skilled mechanician to construct a serviceable torpedo of this kind?

MR. E. STANHOPE said, he was assured that the articles did not in any way disclose the secret.

EGYPT—THE ANGLO-EGYPTIAN CONVENTION.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, When Her Majesty's Government will state to the House the terms of the Convention relating to Egypt, which has been the subject of Sir Henry Drummond Wolff's negotiations at Constantinople, and when the Papers bearing on these negotiations will be presented; whether the Convention has now been ratified by the Sultan; and, whether Her Majesty's Government have agreed to add, or contemplate adding, to the Convention to be ratified any subsidiary agreement or explanatory notice?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Convention has not yet been ratified. Papers will be laid on the Table in the course of the present week. I am not in a position to answer the last part of the Question.

MR. BRYCE: Will the right hon. Gentleman say whether, if the Convention is ratified to-day, he will inform the House to-day, or whether he hopes to be in a position to do so to-morrow? I also wish to ask, whether any further postponement will be granted; and whether the Convention will be ratified to-day, or not at all?

SIR JAMES FERGUSSON: I do not know that any postponement will be granted. I am not able to say that the Convention will be ratified to-day; but to-day is the date to which the ratification was postponed, and that date has not yet expired. I cannot say at this moment whether I shall be able to answer my hon. Friend's Question to-morrow. Evidently this is a question of some importance; and in the course of a few days there will be no difficulty in answering it.

FISHERIES (SCOTLAND) — BEAM-TRAWLING IN ABERDEEN BAY.

MR. ESSLEMONT (Aberdeen, E.) asked the Lord Advocate, as represent-

ing the Secretary for Scotland, If he will lay Papers upon the Table, or otherwise inform the House, as to the reasons which have actuated the Scotch Fishery Board to recommend, and the Secretary for Scotland to sanction, the revoking of the bye-law prohibiting beam-trawling in the Aberdeen Bay, and part of the Aberdeen and Kincardine Coast, within the three-mile limit?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The reason why the bye-law prohibiting trawling in Aberdeen Bay was revoked was that the results obtained were not such as would justify it being longer closed for experimental purposes. Due inquiry was made by the Secretary for Scotland before the bye-law was confirmed.

MR. ESSLEMONT: The right hon. and learned Gentleman has not said whether he will lay Papers on the Table of the House.

THE LORD ADVOCATE: I took the hon. Member's Question to be alternative, and I have informed the House of the Board's reasons.

PRISON COMMISSIONERS (SCOTLAND)—A RELIGIOUS TEST.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Secretary of State for the Home Department, Whether the Prison Commissioners for Scotland put to candidates for medical appointments under them, besides other questions, this—"What is your religion;" and, whether such a question is put to a candidate for employment in any other Civil branch of the Public Service?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): This question is put to candidates by the Prison Commissioners in order that the Secretary for Scotland may be fully informed as to the whole circumstances of the candidates. I am not in a position to say whether the same question is asked in other Civil branches of the Public Service.

COAL MINES—CERTIFICATES OF COMPETENCY.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Secretary of State for the Home Department, How many certificates of competency have been issued in respect of coal mines; and, how many service certificates?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: Up to the present time 2,282 certificates of competency and 2,644 certificates of service have been issued.

AFFAIRS OF EGYPT—THE PAPERS.

MR. HOWELL (Bethnal Green, N.E.) asked the Under Secretary of State for Foreign Affairs, When the Egyptian Papers, No. 4, will be issued, Nos. 1, 2, 5, and 6, having already appeared?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): A Paper so entitled, but which only contained a single despatch moved for in the House of Lords, was presented to this House on March 8, but does not appear to have been printed.

LAW AND JUSTICE (ENGLAND AND WALES)—DISCONTINUANCE OF CIVIL ASSIZES IN CERTAIN COUNTIES.

MR. MILVAIN (Durham) asked Mr. Attorney General, If he has seen a copy of the Scheme which has been laid before the Lord Chancellor by a majority of the Judges, under which some counties in England and Wales will be wholly deprived of Civil Assizes; whether it is true, as reported, that the County of Durham is one of the counties to be so treated, and that by the Scheme one Judge will try criminal business at Durham at the same time that the other Judge will be holding Assizes at Newcastle; and, whether he will give consideration to any Petition from the County of Durham complaining that the holding of Assizes at the same time in two adjoining counties will cause serious inconvenience to both branches of the Legal Profession and the public?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight), in reply, said, he had seen a copy of the proposed scheme. His hon. and learned Friend was quite right in supposing that, as the scheme was framed, civil business at Durham would have been interfered with. He believed it was not proposed to take any further steps with the order at present, at any rate, without further consideration.

RAILWAYS (IRELAND) — DISTRESSED POPULATIONS IN THE WEST OF IRELAND — PROPOSED RAILWAY FROM GALWAY TO CLIFDEN.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Her Majesty's Government have considered the advantages that would accrue to the distressed population of the congested districts of the West of Ireland from the construction of a railway from Galway to Clifden, as sanctioned by the Legislature in 1872; and, whether any steps will be taken in that direction?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): In answer to my hon. Friend, I may remind him that the proposed construction of a railway from Galway to Clifden was a matter which had been referred to the Royal Commission on Public Works, and until we have the Report of that Commission the Government can hardly be in a position to come to any determination on the subject. It may, perhaps, be convenient to the House, in reference to this subject, for me to say that by the Rules of the House I am not allowed to circulate, in the form of a Memorandum, the objects of the Distressed Unions Bill; but I have placed a copy in the Library of the House, which hon. Members may peruse if they desire to do so.

THE WELLINGTON STATUE—VOTE FOR COMPLETION.

MR. CAVENDISH BENTINCK (Whitehaven) asked the First Lord of the Treasury, Whether he is aware that, on the 7th February, 1884, and on the 21st April, 1884, the right hon. Member for Central Bradford (Mr. Shaw Lefevre), as the Minister then responsible for the Office of Works, acquainted the House that the Government had consented to contribute £6,000 towards the cost of a new statue to the Duke of Wellington, on the understanding that they would not be called upon to pay more than this sum under any circumstances; and, whether he can inform the House why, notwithstanding the above-mentioned assurance, the House is now asked to vote an additional sum of £2,000 for the completion of the statue?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, there were two Motions down on the subject, and it would be better that it should be dealt with in debate.

LOCAL TAXATION RETURNS (SCOTLAND).

GENERAL SIR GEORGE BALFOUR (Kincardine) asked the First Lord of the Treasury, If he will arrange for an inquiry to be made through the Treasury as to the hindrances which exist to the timely rendering by the Scottish Secretariat of the Local Taxation Returns now considerably in arrear, particularly as to whether the money allowance specially granted a few years ago to aid the preparation of these Returns have been properly used for the purpose for which granted?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he had made inquiry as to these Returns. The money granted for them had been properly expended; but some delay had occurred in preparing them owing to the recent transference of the Secretary for Scotland, whose Department would make every effort to expedite the presentation of the Returns to Parliament. He would make further inquiry.

TECHNICAL EDUCATION BILL (SCOTLAND).

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) (for Mr. BUCHANAN) (Edinburgh, W.) asked the First Lord of the Treasury, Whether the Technical Education Bill which the Government is about to introduce will extend to Scotland?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, the question had been under the consideration of the Secretary for Scotland, who had been in communication with the President of the Council. He hoped it would be possible to include Scotland in the scope of the Bill.

ROYAL GRANTS—THE SELECT COMMITTEE.

MR. E. ROBERTSON (Dundee) asked the First Lord of the Treasury, If he can now state when the Select Committee on Royal Grants will be appointed?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he thought he had informed the hon. and learned Gentleman that, owing to the pressure of Public Business this Session,

the Government had found it impossible to appoint a Committee on this subject. He hoped they would be able to do so in the early part of next Session.

BUSINESS OF THE HOUSE—COAL MINES, &c. REGULATION BILL.

MR. BURT (Morpeth) asked the First Lord of the Treasury, Whether he is now in a position to state definitely when the consideration of the Coal Mines, &c. Regulation Bill will be resumed?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he answered a Question in regard to this Bill on Friday—namely, that conferences were in progress with hon. Gentlemen who were interested in the measure which would, he hoped, have the effect of reducing considerably the number of Amendments yet to be considered in the House; and as soon as these conferences were concluded, he hoped to be able to name a day for resumption of the Committee upon the Bill.

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL.

MR. WOODALL (Hanley) asked the First Lord of the Treasury, Whether he would exempt the Parliamentary Franchise (Extension to Women) Bill, which was down for Wednesday, the 20th instant, from the operation of the Motion for giving precedence to Government Orders?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, he was anxious to meet the view of every hon. Member so far as it was possible, and to afford all the facilities in his power for the consideration of questions in which they took a lively interest. But he was afraid that if he were to begin to exempt a particular day or a particular Motion from the operation of any Order which the House might make, he should have pressed upon him the consideration of a number of other Motions. He was fully aware of the importance which the hon. Gentleman and others attached to the question of which he was in charge; and if a rapid progress of Public Business should admit of an opportunity of discussing it, he should be only too glad to afford an opportunity for the purpose.

MR. WOODALL remarked, that the right hon. Gentleman the Member for West Bristol (Sir Michael Hicks-Beach) had recognized the importance of the question, and agreed that it was so exceptional and urgent that he was willing last year to interrupt the debate on the Address in order to facilitate its discussion. He asked also whether the right hon. Gentleman would consent to waive his right to employ the Government Tellers in the Division on his proposed Amendment to the Motion giving precedence to Government Orders? If other Tellers were appointed the House would be more free to express its opinion upon the subject of the right hon. Gentleman's Motion.

MR. W. H. SMITH said, he could hardly undertake to promise that the Motion which he, as Leader of the House, felt it to be his duty to make should not be told by the Government Tellers. It was his duty to carry it by means of all the influence he possessed.

DISTRESSED UNIONS (IRELAND) BILL.

MR. DILLON (Mayo, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he proposed to take the Distressed Unions (Ireland) Bill that night; and, if not, whether the right hon. Gentleman would be able to tell them when he would take that measure, which was a complicated one, and which raised very important issues?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am perfectly cognizant of the character of the Bill in question; but it is blocked by an hon. Gentleman below the Gangway; and, that being so, I do not think I have any chance of taking it to-night.

MR. DILLON asked, was the right hon. Gentleman aware that traders had threatened they would not continue to supply food to workhouses; and, seeing that he (Mr. Dillon) had frequently asked this Question with regard to the Bill, would the right hon. Gentleman give an assurance that time would be found to press on the measure?

MR. A. J. BALFOUR suggested that the hon. Member should use his influence to get the block removed.

DR. TANNER (Cork Co., Mid) said, if the Bill were a satisfactory one he would instantly remove his block.

MR. DILLON said, this was a matter of urgent importance, and until a short time ago he did not know the Bill was blocked. If the right hon. Gentleman would give them an assurance that the Bill would be approached at a reasonable hour, he could promise, on behalf of his hon. Friend, that the block would be removed.

MR. A. J. BALFOUR said, if the block were removed they would certainly take the Bill to-morrow. He might point out that it was too late to remove the block to enable the Bill to be taken that night.

MR. DILLON said, unless some understanding could be arrived at, it would be too late to remove the block in time for the Bill to be taken on the following day. If the right hon. Gentleman could give them an assurance that the Bill would be taken at a reasonable hour, he would undertake to get the block removed.

MR. A. J. BALFOUR: As soon as possible after 12 o'clock to-morrow, then?

MR. DILLON: Very well.

Subsequently,

MR. DILLON again urged the importance of the Bill being proceeded with as soon after 12 o'clock to-morrow as possible, and not at 2 or 3 in the morning.

MR. A. J. BALFOUR agreed to get the Bill on as early as he could.

DR. TANNER: May I ask the right hon. Gentleman, if I removed my block, will he undertake to have the Bill brought on at half-past 12?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) explained it might not be possible to bring the Bill on at half-past 12; but the Government would do all they could to meet the wishes of hon. Members.

MR. ARTHUR O'CONNOR (Donegal, E.): Will the right hon. Gentleman have any objection to putting it down as the second Order?

MR. W. H. SMITH: In all probability it will be.

DR. TANNER: Am I to understand that the right hon. Gentleman will keep this pledge?

[No reply.]

NAVY—H.M.S. "SURPRISE"—DISAPPEARANCE OF COMMANDER LE STRANGE.

COMMANDER BETHELL (York, E.R., Holderness): I wish to ask the First Lord of the Admiralty, If he has any information as to the statement which appeared in the Press this morning relative to Commander Le Strange, Captain of H.M.S. *Surprise*, who is stated to be missing?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Commander Le Strange is missing. He was last seen in Paris on Thursday night, about to return to his vessel at Marseilles, in order to meet the Duke of Edinburgh.

COMMANDER BETHELL: There is no suspicion that he is missing from foul play, in the information of the Admiralty?

LORD GEORGE HAMILTON: I cannot say. That is the only information I have to give.

LAW AND POLICE—ARREST OF MISS CASS.

MR. ATHERLEY-JONES (Durham, N.W.) asked the Under Secretary of State for the Home Department, in the absence of the Secretary of State, Whether he could give the House any further information as to the circumstances connected with the case of Miss Cass?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam): That is a Question which had better be addressed to the Secretary of State.

MR. ATHERLEY-JONES: I will put the Question to the Secretary of State to-morrow.

CRIMINAL LAW AMENDMENT (IRELAND) BILL—ALLEGED VIOLATION OF A PLEDGE BY THE CHIEF SECRETARY.

MR. ANDERSON (Elgin and Nairn): I desire to ask the Chief Secretary to the Lord Lieutenant of Ireland the Question of which I gave him private Notice. Will he explain to the House how it is the Government have refused to carry out their promise given on the 17th of May in Committee on the Criminal Law Amendment (Ireland) Bill, to the effect that they would introduce into the Bill a provision allowing appeal

from the decision of Resident Magistrates in all conspiracy cases, whether the term of imprisonment was one month or not?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The private Notice of the hon. and learned Gentleman has only just reached me, on account of its being sent to the Irish Office. The reasons, Sir, are very fully explained in a letter sent from the Irish Office, and which appears in the papers to-day; but if the hon. and learned Member desires me to recapitulate them I will do so. The Government were of opinion that the Law of Conspiracy, being a complicated law, the interpretation of that law in difficult cases, if such should arise, which I do not anticipate, should not be left entirely to Resident Magistrates, some of whom are not lawyers by profession. I stated that opinion of the Government in debate, and we hold that opinion still. But, as a matter of fact, there is at present an appeal on points of law; and, therefore, the desire of the hon. and learned Gentleman is adequately fulfilled by the law as it at present stands.

SIR WILLIAM HARCOURT (Derby): I wish to ask the right hon. Gentleman whether, as a matter of fact, the pledge he specifically gave did not relate to making provision for an appeal under the Criminal Law Amendment (Ireland) Bill, identical with the appeal given in England under the Summary Jurisdiction Act of 1879? He stated definitely that that was the appeal he intended to give; and I wish to ask him whether he considers that, in the Bill as it at present stands, that pledge is fulfilled, and that the appeal stands in all respects upon the same footing as the appeal in England under the Summary Jurisdiction Act?

MR. A. J. BALFOUR: The right hon. Gentleman, if he will recall the circumstances, will, perhaps, remember that the alleged pledge was given in reply to a speech of his own, and the point of that speech was a very legitimate one—namely, that the Resident Magistrates, not being lawyers, were not the proper people to interpret a difficult law. I acknowledge, on the part of the Government, we felt the difficulty, and were anxious to see it remedied. But the difficulty is actually remedied by the law as it stands; and, therefore, it would have been a superfluous precaution to add to the measure the Proviso that the right hon. Gentleman suggests.

SIR WILLIAM HARCOURT: I do not think the right hon. Gentleman appreciates the point of the Question. He gave a pledge, in answer to some observations of mine, that he would give an appeal in every case—an appeal where the sentence was for a month as well as in other cases. He will then remember that an objection was taken upon that (the Ministerial) side of the House to the giving of an appeal; and the right hon. Gentleman's answer to that was that that objection was not of force, because, he said, the appeal that it was intended to give was an appeal identical with that given under an Act of Parliament seven years ago. That was, as I understood it, a distinct pledge that the appeal should be identical with the appeal given under the Summary Jurisdiction Act of 1879 in England.

MR. A. J. BALFOUR: Of course, the right hon. Gentleman is perfectly correct in having interpreted my words at that moment as showing that what I had in view was to extend to Ireland the provisions of the English Act, and that that was the method by which an appeal from a man who was not a lawyer to a man who was a lawyer should be carried out. But I find that intention is better and more adequately carried out by the law as it stands; and, therefore, there is no reason whatever for extending to Ireland the provision of the English Act.

MR. ANDERSON: The right hon. Gentleman has spoken of an "alleged pledge." I, therefore, wish to ask the right hon. Gentleman whether these are the words he used? They are quoted from *Hansard*—

> "We propose to give an appeal in every case. There will be an appeal in every case to a County Court Judge."

Are these the words he used, and has that pledge been carried out in the Bill?

MR. A. J. BALFOUR: I cannot answer for it that these are the exact words I used. I did say there would be an appeal in every case. There is an appeal in every case.

MR. WADDY (Lincolnshire, Brigg): Inasmuch as the appeal was to be given to a County Court Judge——["Order!"]

THE VICE PRESIDENT OF THE COMMITTEE OF COUNCIL ON EDUCATION (Sir WILLIAM HART DYKE) (Kent, Dartford): I rise to Order——

MR. SPEAKER: Order, order!

SIR WILLIAM HART DYKE: I wish to ask whether the hon. and learned Member is in Order in attempting to discuss the matter?

MR. SPEAKER: The subject cannot be debated now. If the hon. and learned Gentleman wishes to put a distinct Question, he will be in Order.

MR. WADDY: Yes, Sir; I wish to ask whether, inasmuch as the appeal was to be to a County Court Judge—and it is not suggested that that would be improper—is there any objection to giving an appeal to a County Court Judge as well as the appeal provided for at present?

MR. A. J. BALFOUR: Yes, Sir; I think there would be an objection to that.

Subsequently,

MR. MAURICE HEALY (Cork): I wish to ask the leave of the House to call attention to a definite matter of urgent public importance—namely, the breach by the right hon. Gentleman the Chief Secretary for Ireland of a pledge given by him in his place in the House on the 17th of May, on a point arising on the Criminal Law Amendment (Ireland) Bill.

MR. SPEAKER: That would be an extremely doubtful matter for me to put. It refers to a matter arising in debate; and I do not think that would be a definite matter of urgent public importance which I could submit to the House. It refers to a previous debate on a matter arising in debate, and it may be a matter of future debate.

MR. MAURICE HEALY: Do I understand you to rule that that Motion would not be in Order?

MR. SPEAKER: Yes; that is my ruling.

MR. MAURICE HEALY: That being so, I ask the right hon. Gentleman, who is extremely interested in this matter, whether he will, at some reasonable time in the near future, offer an opportunity for publicly discussing in this House a matter in which his honour is directly interested?

MR. A. J. BALFOUR: I imagine there can be no doubt that on the Estimates there will be the opportunity which the hon. Gentleman seeks.

MR. MAURICE HEALY: I shall take advantage of that opportunity, Sir.

MOTION.

—o—

ORDERS OF THE DAY.

RESOLUTION.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster), in rising to move—

"That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion on Tuesday, Government Orders having priority; that Government Orders have priority on Wednesday; and that Standing Order XXI., relating to Notices on going into Committee of Supply on Monday and Thursday, be extended to the other days of the week,"

said: It is usual on occasions of this kind to give to the House some indication of the measures which the Government think it necessary to press upon their attention and to pass into law during the course of the remainder of the Session. I have asked for the time of the House somewhat earlier than in some former Sessions, though not so early as in the case of last Session. Having regard to the state of Supply, and the expectation of getting to the consideration of the Land Bill early next week, I thought it better, instead of proposing two or three Motions of a like character, to make one Motion, which the circumstances of Public Business, I think, entirely justify. The measures which Government think it necessary to press forward at all risks and in all circumstances are those Irish measures which have been already announced to the House, and under the consideration either of this or the other House. There is also the Bill dealing with tithe rent-charge, which we consider to be a measure of very great importance. There are three Bills which have advanced very far, and which, I believe, are accepted by all Parties in the House as Bills of great importance, and involving no Party question whatever—namely, the Mines Regulation Bill, the Merchandize Marks Bill, and the Criminal Procedure (Scotland) Bill, which passed through Committee on Thursday last. Those are measures which we think ought not to occupy any considerable portion of the time of

the House. Then there is a measure for promoting technical education, which we have every reason to believe will be accepted unanimously by the House—at all events, we hope that a very slight discussion will be sufficient to pass that measure into law. The Government have announced their intention of bringing in a large measure of local government. We have been obliged by the pressure of Public Business to abandon that Bill; but in order to facilitate its consideration when it comes before the House, we propose that power should be taken for the appointment of a Boundary Commission to re-adjust the local areas in connection with that measure. That will necessitate a simple and a small Bill; but the appointment of this Commission will greatly facilitate the consideration of the Bill when it comes on next year, and I hope the House will accept it without much debate. There are some small Consolidation Bills on the Table of the House which, I believe, involve no great principle, but which it may be of advantage to pass. There is another measure which I hope the House will see its way to accept—namely, the Church Patronage Bill. I think I have now stated generally the measures upon which the Government feel it necessary to insist in the course of the present Session. There is one other measure which will come down in the course of a few days from the House of Lords—namely, the Land Transfer Bill. This is a Bill of very considerable importance, and one which has been accepted by the other side with favour in the House of Lords; and if it should be the pleasure of the House to accept it in the same spirit, I hope it may be possible to pass it into law; but I cannot insist against any considerable or protracted opposition. Then there is another measure, the Railway and Canal Traffic Bill. That is a measure we should like to pass if it is possible to do so; but here, again, we must rely on the temper and good feeling of the House. It is impossible that we can give time for protracted debate on the second reading of that Bill; but as it has passed the other House opportunities may be found towards the end of the Session for considering it in Committee, and for enabling the House to determine a measure which, I believe, is looked forward to both by the railway and agricultural interests as settling questions which have been in dispute for too long a period. That is the statement which I have to make to the House; and though it is exceedingly disagreeable for me to have to ask hon. Gentlemen to forego their privileges in the way of Motions and Bills they may have on the Paper, I feel that I have no alternative but to press upon the House to give the Government facilities for the transaction of the important Business of Supply, and the important measures still waiting the final decision of this House.

Motion made, and Question proposed,

"That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion on Tuesday, Government Orders having priority; that Government Orders have priority on Wednesday; and that Standing Order XXI., relating to Notices on going into Committee of Supply on Monday and Thursday, be extended to the other days of the week."—(*Mr. William Henry Smith.*)

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I cannot undertake, Sir, to give approval to the present Motion; but I will endeavour to distinguish between the various questions which are concerned and involved in it. There is the question whether the Government is entitled to ask for an extension of time; there is the question of how that extension of time should be used with respect to the Bills which they propose to press forward; and then there is the question whether the demand which they make for extension of time is a just demand. With regard to one very important part of the subject—namely, as to what measures the Government intend to press forward—I think the statement of the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) is, for the most part, satisfactory. I cannot take objection to the proposal to appoint a Commission to re-adjust local areas; but I hope it will be so arranged that, as far as possible, nothing will be done that will fetter the future liberty of the House in dealing with the Bill for local government. Then the right hon. Gentleman stated that Her Majesty's Government felt it essential that they should persevere with the Bills of great importance relating to Ireland which are before this or the other House of Parliament——

MR. W. H. SMITH: And which had been announced.

MR. W. E. GLADSTONE: I do not think the right hon. Gentleman used those words; but now it has been made to signify that it is intended to bring in a Bill, and to pass that Bill, for the purpose of transferring the function of juries to Judges in certain cases in Ireland. [MR. W. H. SMITH signified assent.] I cannot, of course, make any promise favourable to the announcement itself; but I am glad I have given the right hon. Gentleman an opportunity of removing a misapprehension which was, I think, general—certainly, at least, on this side of the House. I understand, then, that there are three Bills which come within the right hon. Gentleman's statement — the Coercion Bill already passed, the Bill for the amendment of the laws relating to land, and a second measure regarding juries and judicature which has been announced. But, speaking generally, I consider that the announcements with regard to other measures are reasonable and fair. Nor do I deny that at this time it may be fair and right for the right hon. Gentleman to ask for an extension of time from the House of Commons, to be given at the expense of private Members, into the hands of the Government. I cannot say that I think the Motion is justified as it stands, because I am quite unable to look at this Motion without reference to what has already taken place during the present Session. It is one of a prolonged series of similar Motions which have been accepted by the House, to the almost total extinction of liberty, and, in my opinion, very disparaging to the dignity of the House. I do not intend to go into that subject at length, but it is a subject which will have to be very largely considered by the country. I am inclined to take so very strong a view of the general character and effect of those Motions in their bearing upon the functions and office of the House of Commons that possibly, if I were to state all that I must state in some way or other, and in some place or other, I should occupy a very long time and trespass largely on the patience and indulgence of the House. I would make that trespass on the patience and indulgence of the House if I had the smallest expectation of producing any good effect. Our position, I think, very much resembles what it was about eight or nine years ago, when we had a Parliament with a majority against us, though I freely admit that that majority was at that period a homogeneous majority, whereas the present majority is of the most peculiar and unprecedented character. That is not relevant to the present point. We have found it totally beyond our power to break up or impair by Parliamentary debate that combination, and I know that, according to the newspapers, the right hon. Gentleman the Leader of the House has thought fit to charge me elsewhere with intercepting and conspiring against the Business of the House. I have no doubt but there are numbers of Gentlemen on that side of the House ready to sustain that charge; but my allegation respectfully submitted to those Gentlemen, who approach this subject evidently in a most judicial and clear frame of mind, is that I have deliberately and advisedly refrained from the introduction and pressing of subjects of the greatest importance to the House, and the greatest interest to the country, for the sake of not interfering with the course of Business at a time when, as I thought from the fault of hon. Gentlemen opposite, the progress of Business had become almost impossible. From whatever cause the House has been placed in a position with respect to the progress of Business which is absolutely deplorable, while it has been placed in a position with respect to what it has gathered here, and the duties it has to discharge here, which is far more deplorable. The business of legislation, except in the hands of the Government, has been almost absolutely *nil* during the present Session, and the business—which is, if possible, still more important—of reviewing, questioning, and impugning wherever necessary the conduct and proceeding of the Executive Government, that great duty has been absolutely extinguished during the present Session. Of this I feel certain that the country will require that those questions should be thoroughly opened and elucidated. But I assure hon. Gentlemen—although there are those among them, I know, who will receive my assurance with contempt—I desire on no account and in no degree to interfere with their convenience or their inclinations so far as these measures are con-

cerned. On this account I content myself at present with, on the one hand, making an admission, and, on the other hand, making a protest. I admit to the right hon. Gentleman that the Business of the House has come into a condition in which it is necessary for him to ask for further time from the House in order to keep the labours of the House within reasonable bounds; I protest against the entire method which has been pursued, and against the series of Motions which have been made, to restrain the liberty of the House—Motions which I admit have flowed out of the necessity which the Government has imposed upon itself. Further, it would not be fair to those who occupy the opposite Bench were I to treat this matter as one in which the main responsibility now lies with them. They have had the support of large majorities of the House; they have had support from that large Party, not amounting to one-half of the House, but still the largest Party which is of their own political complexion; they have had the support—not less uniform and unfailing—of some of those associated with the most moderate Liberalism, and of some associated with that Liberalism which has hitherto been deemed to be most immoderate. They have combined in giving their support to Her Majesty's Government; therefore, whilst I cannot refrain from my protest, I am bound in justice to them to recognize the fact that it is with the majority of the House that the responsibility lies; and if I am to draw any distinction, there can be no question that the greatest responsibility lies with that section of hon. Gentlemen by whom the minority has been made into a majority—those supporters of the Government who have sat on this side of the House, who have acted out of an imperative sense of public duty. Do not let it be supposed for a moment that I am using words of sarcasm at this point of my speech; I am as much convinced of their imperative sense of public duty as of that on the part of those with whom I have the honour to agree. Acting under the sense of public duty, they have taken a particular course, which has had particular results, and no doubt they will be very glad to accept the responsibility in the face of the world and of the country. Having thus registered my protest, not against this Motion only, but against the entire chain of Motions with reference to which I am obliged to consider it, I admit that the right hon. Gentleman seems to have exercised a wise discretion as to the use he proposes to make of the time of the House. As I hope I have not been immoderate in my demand upon the time of the House for the purpose of expressing my objections, so I hope there is no intention of pushing further or of occupying any further portions of the time of the House by opposing the Motion.

Mr. BRADLAUGH (Northampton) said, he desired to express his regret that no reference had been made by the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) about the Employers' Liability Bill, which expired this Session. It was not a contentious Bill, and last Session a distinct promise had been given that it should be introduced early in the present Session. Repeated promises of its early introduction had been made during the present Session. He thought at least some word was due from the Government in regard to it. There was another, though smaller matter, as to which the Government gave him a distinct pledge before Whitsuntide. He had asked the Government to give a day for discussing the Report on the charges of malversation against the City of London Corporation; and he thought it was not unreasonable to ask for some explanation in reference to it.

Mr. CHAPLIN (Lincolnshire, Sleaford) said, that the Motion of the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), if it were accepted, would place them in an absolutely unprecedented position, inasmuch as from the very commencement to the end of the Session independent Members would have been entirely deprived of the rights which they usually enjoyed. He was very far indeed from saying that the course which had been adopted by the Government had been unnecessary, and he was far from saying that, under certain circumstances, it might not be necessary and desirable that they should accept the proposition of the Government. He was, however, on behalf of some of his hon. Friends and himself, most anxious to obtain an assurance on one subject. When the Government came forward at an earlier part of the Session

to announce upon their responsibility that for the purpose of maintaining law and order in one part of Her Majesty's Dominions it was absolutely necessary to strengthen the authority of the Government in that part of the Dominions, it was felt at once, when they asked for the whole time of the House, that it was impossible to resist the demand, unless the House of Commons was prepared to terminate the existence of the Government as a whole. But he wished to point out that the Irish Land Bill was a Bill of a very different character, and stood on a totally different position. He quite admitted the extreme importance of the question of Irish land legislation, and he reminded the House that they had had a great many measures since he was a Member dealing with Irish land reform; and the only effect of them, so far as he had been able to perceive and ascertain, had been to add to the muddle and confusion in which the whole subject was originally placed by the abortive and unhappy legislation of 1870 of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone). He would also point out that the Land Bill was not yet before the House. Rumour had it that many alterations and even transformations had been made in the Bill in the other House of Parliament, and perhaps it would be better to have postponed this Motion asking for the whole time of the House until at least they had seen the Bill and had had an opportunity of forming an opinion as to its probable effect. Irrespective of that question, he wished to draw attention to one matter in particular. The right hon. Gentleman the First Lord of the Treasury was aware that from the earliest period this Session many Gentlemen who represented the agricultural interests were exceedingly desirous to obtain a day on which they might be able to call attention to the extremely grave and critical condition of that industry. Partly owing to the great length of time taken to debate the Address in answer to the gracious Speech from the Throne, and owing also to the representations made by the Government, hon. Members representing agricultural constituencies were prepared not to press the subject at that time. If the present Motion were agreed to without some assurance being given on this point, the agricultural Members would have been unable to obtain a single day during the whole of the Session in which to bring before Parliament the grave condition of agriculture. Before the House consented to the Motion he wished, therefore, to ask the Leader of the House to give some assurance that before the Session closed a convenient day should be afforded on which they might raise the question and bring it before the attention of Parliament and the country. He was certain that every farmer in the country would be justly indignant and disgusted if no opportunity for discussing it were afforded this Session. He had noticed with considerable regret the omission of any mention whatever in the speech of his right hon. Friend of the Bill promised in the Speech from the Throne on the question of allotments; although so recently as, he believed, the 16th of May an explicit statement was made that the Bill would be introduced shortly into the House of Lords, and, if possible, prosecuted in the House of Commons during the Session. No progress had been made with that Bill in either House, and he presumed that no progress would be made this Session. He exceedingly regretted that this was so.

SIR WILLIAM HARCOURT (Derby) said, he wished to ask the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) to state on what day the Government proposed to take the third reading of the Crimes Bill. The remarks of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) might be summed up in a single sentence. The right hon. Gentleman was willing to make every sacrifice so long as a Coercion Bill was to be forced down Ireland's throat; but a Land Bill for Ireland, a remedial measure, stood on a totally different footing. While the whole time of the House might well be given to the one object, it was very doubtful whether any time ought to be given to the other at all. That was the view which the right hon. Gentleman presented to the Government. Then the right hon. Gentleman pleaded the cause of agriculture. Yes; but when it was a question of coercion he was ready to throw the agricultural labourers overboard. These country Gentlemen professed to be in concern about the condition of the agriculturists; but as long as

the Government could feed them on coercion they were dumb, for what had they heard from the country Gentlemen about agriculture since January? But now that the Coercion Bill was going to leave the House the right hon. Gentleman said—"We must have time for agriculture." He forgot all about agriculture in the interim. The right hon. Gentleman and his Friends were willing not only to be silent on the subject, but to be silenced. When the Rules of Closure were before the House it was predicted that the House of Commons would not long be an Assembly for the discussion of important subjects affecting this country. That was what had happened, and is happening now; and hon. Members must look to other places than the House of Commons in which to discuss matters of interest to the country. That was one of the great deeds which the present Government had achieved; they had taught the country to look to other platforms, and not to the floor of the House. [*Laughter.*] Well, was this not so? There were a great many subjects, like foreign affairs, of the deepest interest to discuss which the Government would not allow a single hour to be given—questions which, in the old days, were considered to be of prime importance in this country. Did the Government not think that the country would have these matters discussed somewhere, and that if they could not be discussed in the House of Commons they must then be discussed elsewhere? The Government, therefore, had transferred the arena of debate from the House of Commons to another tribunal. He regretted this; it was the deplorable result of the policy and the course which the Government had adopted. He advised the right hon. Gentleman the Member for the Sleaford Division not to be in a hurry about the question of agriculture, because the right hon. Gentleman the Leader of the House had stated that there was to be a Coercion Bill No. 2 introduced. The right hon. Gentleman should place his claims on behalf of agriculture in abeyance for a short time longer, while Parliament was engaged in suspending trial by jury in Ireland. That was an interesting subject, and no doubt it would have cordial support from the right hon. Gentleman. Having left the subject of agriculture in abeyance for some months, the right hon. Gentleman might very well continue that course of patience, a t all events until Coercion Bill No. 2 had fulfilled its mission in the House of Commons.

MR. DILLON (Mayo, E.) said, he wished to ask the right hon. Gentleman the Leader of the House (Mr. W. H. Smith) whether the Boundary Commission he spoke of would act in Ireland as well as in Great Britain; and whether it was the intention of the Government to carry out the promise of the noble Marquess the Member for the Rossendale Division of Lancashire (the Marquess of Hartington) and other Liberal Unionists, that a large measure of local government would be given to Ireland? As the House was told that the time for passing private Members' Bills was over, he was entitled to call attention to the way in which Private Business had been treated during the Session. The Irish Members started, at the commencement of the Session, with 15 or 20 Irish Bills on the Paper, each and every one of which dealt with a subject of vital importance to their country, while the principles contained in them were supported by five-sixths of the Representatives of Ireland, and which had been placed before the House in the same way, and had been rejected from the consideration of the House in a similar manner, during the past 10 or 11 years. The measures of justice they had been able to get for their constituents, to whom they were soon bound to return and give an account of their stewardship, was represented by the figure 0. He commended this condition of affairs to the consideration of the Unionist supporters of the Government. During last autumn, after the rejection of the Home Rule Bill, some of those hon. Gentlemen had spoken to him privately, and had consoled him with this pledge. They said to him—"Present to Parliament the Bills which you are commissioned to bring forward on behalf of the Irish people, and we pledge ourselves that you shall get the same justice from this Parliament as you would get from your own Parliament in Dublin." The Irish Members accepted that pledge, and they accordingly placed on the Paper 15 or 20 Bills dealing with subjects of vital importance to Ireland. But now, towards the close of the Session, the Irish Representatives were

being sent back to their constituents empty-handed—a Coercion Bill excepted—and to tell the people of Ireland that all they were to get from this Unionist Parliament was coercion, and that the measures on which they had set their hearts, and for the gaining of which he and his hon. Friends had been elected, were to be treated with infinite contempt. If a strong case was made out, showing the great necessity for taking the whole time of the House, then he supposed it must be given to the Government; but what were the grounds on which it was asked? First of all, on the ground that there were measures relating to England of minute importance, which it was anticipated would pass without much discussion. But how about Ireland? The only measure for Ireland which the right hon. Gentleman the First Lord of the Treasury mentioned as being likely to take up much time was the Land Bill. While this Bill was mentioned by the right hon. Gentleman, he drew the attention of the House to the fact that no pledge was given to the House that it would be hurried forward. While great orators were going about the country saying that the object of the Bill was to stop evictions, the character of which was acknowledged by such men as the noble Marquess the Member for Rossendale to be "a disgrace to a civilized country," no pledge whatever was given that the Land Bill would be forced through the House. But that was not the worst. They were told what the object of the Bill was; but what were the facts? According to the latest edition of that Bill, and as far as their judgment went, there was not the smallest scintilla of proof, nor anything to lead them to believe, that it went in the slightest degree in the direction of attaining any one of the objects which had been placed before the House. If he (Mr. Dillon) believed that that was the object of the Bill, he would not be the man to raise his voice in protest against the time of the House being given to its consideration; but he believed the object of the Bill was not to put a stop to cruel evictions—and he might say that another Bodyke was about to be perpetrated in Wicklow. He believed the object of the Bill was to render the tenant more powerless and the landlord more powerful to carry out the war of extermination. He stated that opinion after a study of the latest version of the Bill. Then, on what ground did the Government ask for the whole time of the House in order to pass a few Bills relating to England, while they intended, at the same time, to rivet the collar of coercion more firmly on the necks of the Irish people? He added his strong recommendation to the appeal just made by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), that before the House was asked to consent to this Resolution it should be placed in possession of the latest edition of the Land Bill, and information vouchsafed as to whether it was to be used for the benefit of the people of Ireland, or to add still more to the weight of their oppression.

SIR RICHARD PAGET (Somerset, Wells) said, he hoped the Government would be able to pay some attention to the appeal of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin). He (Sir Richard Paget) was one of those who had put a Notice on the Paper referring to the condition of agriculture; but that Motion had been set aside as a matter of duty. At the same time, he urged the Government to try and find an opportunity to enable a discussion of this important matter to be taken. He desired to express satisfaction at the announcement that a Boundary Commission was to be appointed; and with regard to the Railway Rates Bill, he understood the right hon. Gentleman the Leader of the House to say that this was a measure looked forward to by the agricultural and trading communities with anxiety that it should be passed into law. In his opinion, that Bill, in its present shape, was certainly not looked upon favourably by either the agricultural or trading communities. There was an important clause in that measure which was looked upon by those large interests as opposed to that form which they thought the law ought to take. His right hon. Friend had said that a Bill was in course of preparation with regard to technical education, and that he did not expect that it would give rise to serious or prolonged discussion. If, however, that Bill should entirely disregard the interests of agriculture, and should make no provision for technical education in agriculture, it was not likely to be ac-

cepted without serious debate. Moreover, if it was a Bill which added to the burdens of the over-burdened ratepayers, that would, of itself, be a matter which must receive consideration at the hands of the House.

MR. MUNDELLA (Sheffield, Brightside) said, with regard to the Railway Rates Bill, the feeling expressed by the hon. Baronet (Sir Richard Paget) was shared by many hon. Members of that side of the House—that the Bill had been so altered in "another place" that it could not be read a second time without serious debate. When he intervened, on Friday last, to suggest to the Government that it would be very undesirable to send a Bill of that magnitude to a Select Committee—it contained 49 clauses, and involved most important questions of principle and of technicalities—he did so entirely in the interests of the Bill; but the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) imputed to him the desire to obstruct the measure, though he hoped the right hon. Gentleman had since seen that he had misunderstood him. He was most anxious to get on with the Bill, and had no desire to obstruct it; but to send a Bill of that magnitude to a Committee upstairs, where there would probably be many Railway Directors sitting, would not be dealing with it in a manner satisfactory to the House. They wanted it to be brought as speedily as possible under the consideration of the House, which was the only place where it could be practically and satisfactorily amended. On the subject of Royal Grants, the right hon. Gentleman said, earlier in the Session, it was too late to consider it; and with respect to a Welsh measure, on which hon. Members on both sides were anxious to come to an agreement before Whitsuntide, the right hon. Gentleman said it was too late to refer it to a Select Committee. Surely, then, it was quite too late to consider the Railway and Canal Traffic Bill in a Select Committee. He hoped, if there were any time at the disposal of the Government, they would give the House the opportunity of considering the Bill in Committee of the Whole House, and he believed that the measure would be seriously discussed on behalf of both the agricultural and trading communities.

Sir Richard Paget

MR. WOODALL (Hanley) said, he was anxious to study the convenience of the House, and to show himself sensible of the courtesy of the First Lord of the Treasury. He understood the right hon. Gentleman to say that, although he could not give the pledge asked for, he would be glad to find that the progress of Business in the interval would enable him to give a day for the Woman Suffrage Bill later on. He felt that he could not ask for more, and, under the circumstances, would not press the Amendment of which he had given Notice.

MR. SHAW LEFEVRE (Bradford, Central) said, that one very important measure which had been mentioned among those it might be possible to pass this year was the Land Transfer Bill. He ventured to make a suggestion, which might help to save time with respect to this Bill. His suggestion was to divide the Bill into two, and deal in the present Session with the parts relating to the inheritance of land and primogeniture. These portions of the Bill would not meet with any opposition on the Liberal side of the House. With regard to the remainder of the Bill, he had personally no intention to offer opposition; but there were many hon. Members who thought that the proposals of the Bill were insufficient, and that they dealt with the subject in a very unsatisfactory way. He, therefore, proposed to divide the non-contentious part of the Bill from the part which invited so much opposition, and postpone the latter part of the measure to next year. With regard to the rest of the programme of the Government, he had no objection to make except to one Bill. The right hon. Gentleman the Leader of the House (Mr. W. H. Smith) had been too much ashamed to refer to it; and any information regarding it had to be drawn from him by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone)—namely, the Coercion Bill No. 2. Now, he protested against the time of the House being again occupied with another Coercion Bill. The House had been surfeited with coercion. It was monstrous that the whole time of the House should be occupied with such a subject. He should have thought the Liberal Dissentients had had enough of it. Their noses had been rubbed sufficiently in coercion. If

not, he should have thought that the Spalding Election would have shown them that the policy of coercion was not very popular in the country. He asked the Government whether they intended to give precedence to Coercion Bill No. 2 next after the Land Bill, and over all the other measures which had been mentioned by the right hon. Gentleman the Leader of the House? Was it intended to be a perpetual measure? Were they to be asked to pass a Coercion Bill No. 2, and suspend trial by jury for ever in Ireland? Was this only to be a temporary measure? He hoped the House would give no facilities for the further discussion of coercion. They had had enough of the subject; and it would be better that the time of the House should be devoted to useful legislation of a remedial nature.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he was greatly surprised at the speech which the House had just listened to from the right hon. Gentleman the Member for Derby (Sir William Harcourt). The right hon. Gentleman repudiated the application of a Crimes Bill to Ireland; yet he was one of those Members of the late Liberal Govermnent who told the House of Commons and the country that law and order could not be maintained in Ireland without the use of repressive measures. The right hon. Gentleman had now turned round, and wished to hand over to those men who a short time ago he so strongly denounced the maintenance of law and order in Ireland, and bitterly complained of the Conservative Government doing the very thing to which he was a party himself when law and order were threatened. It was in order that the Government might grapple with the deplorable state of affairs in Ireland that the agriculturists had maintained silence during the Session. At that stage of the Session, however, he might be permitted to remind his right hon. Friend that the greatest question at the present time, after the question of preserving law and order in Ireland, was one which not only affected England, but Scotland, Wales, and Ireland—and that was the terrible depression of agriculture, and the general desire that there should be a firm and a temperate discussion as soon as possible of its present condition. He, therefore, hoped that his right hon. Friend the Leader of the House (Mr. W. H. Smith) would find it possible to afford the Members of that House an opportunity of discussing this most important question before the end of the Session.

MR. MUNTZ (Warwickshire, Tamworth) said, he was desirous of supporting the appeal made to the Government for a day on which to discuss the state of the agricultural interest. In his remarkable flight of oratory, the right hon. Member for Derby (Sir William Harcourt) had charged the county Members with standing quietly by while the Government were doing the first duty incumbent on any Government whatever —namely, to take steps for maintaining law and order throughout Her Majesty's Dominions. Now, however, that that duty was performed, those county Members thought the time had come when an opportunity should be afforded the House for discussing the lamentable condition of agriculture in all parts of the Kingdom. The Irish Land Question was very much an agricultural question; and the interests of English agriculture had an equal claim to consideration from the House and the Government with those of Irish agriculture.

MR. BROADHURST (Nottingham, W.) said, he was pleased to hear the hon. Member who had just spoken candidly confess that he thought it a higher duty to be engaged in coercing Irish tenants than in looking after the interests of British agriculture; but he apprehended that the result of the election which took place last Friday at Spalding had done much to awaken the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) to a somewhat higher sense of duty than usual to his constituents. However that might be, he (Mr. Broadhurst), for one, was glad that the right hon. Gentleman and his Friends had become alive to a sense of their duty even at the eleventh hour. His object, however, in rising was to call attention to the fact that in the list of Bills mentioned by the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) no mention whatever was made of the Employers' Liability Amendment Act. The hon. Member for Morpeth (Mr. Burt) and he himself, by Questions in that House, and by communications to the Home Secretary, had inquired whether the Government would introduce a Bill

this Session and carry it into law. His hon. Friend (Mr. Burt) and he himself had spoken with the Government officially on this important question. It was a measure which affected the welfare of the whole working population of this country; and if the Government failed to deal with it there would be universal disappointment and dissatisfaction, more especially as he and his Friends had refrained from pressing forward a measure of their own. This was a matter of great importance, and he earnestly hoped that the right hon. Gentleman the Leader of the House of Commons would do what he could to bring about those changes in the Employers' Liability Act which were so urgently demanded. There was only one other subject upon which he wished to put a question to the right hon. Gentleman the First Lord of the Treasury. He wished to know whether it was the intention of the Government or not to finish the Rules of Procedure during the present Session?

SIR WILFRID LAWSON (Cumberland, Cockermouth) said, he was not going to say a word to embitter the discussion, but submitted an Amendment which he thought would be agreeable to everybody, and even in which he thought he should be supported by the right hon. Gentleman the Leader of the House. The Government had promised to bring in a Local Government Bill, and of course everybody understood that the licensing question was to be dealt with in it. He had a Motion on Local Option for the 26th of July, and that, he would remind hon. Gentlemen opposite, was a question of law and order for England. He would desire the Government to take a Morning Sitting on that day, when they would have five good working hours before dinner, with everybody sober, and to give him an Evening Sitting. His Friends could make a House, and if the right hon. Gentleman and his Friends liked to stay away he (Sir Wilfrid Lawson) should have no objection. He formally moved that Tuesday, the 26th, be exempt from the operation of the right hon. Gentleman's Resolution.

Amendment proposed,

At the end of the Question, to add the words "but that Tuesday, the 26th of July, be excepted from the Order."—(*Sir Wilfrid Lawson.*)

Question proposed, "That those words be there added."

MR. MARK STEWART (Kirkcudbright) said, he would urge upon the Government to give a day, or half a day, for a discussion on the condition of agriculture. He should also like to know whether the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) could not give an opportunity for the discussion of the Ecclesiastical Assessments (Scotland) Bill? That measure was received with general favour by a large section of the people of Scotland, and he believed would have considerable support on both sides of the House. It was a matter of a pressing character, and it was not only the duty, but the privilege of the House of Commons to mitigate grievances, however small their character.

MR. QUILTER (Suffolk, South) said, he wished to ask whether the Government could not give facilities for the consideration of the Adulteration of Beer Bills? This was a question of intense interest to the agricultural labourers, especially in the Eastern Counties, who, if not a little more considered, the Government must expect more elections to be decided with the same results as at Spalding. He was surprised that the Government had not made arrangements for the further discussion of the short and simple measures before the House to preserve the purity of their national beverage. The Bill he had introduced had been read a second time last Session, and in the interest of the agricultural classes it ought to be passed.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, the people wanted to know what was the position of the Government in regard to the agricultural question. In Lincolnshire lately they had this appalling spectacle—that the Tory candidate in his address declared himself in favour of Protection, and yet three days afterwards found that Protection was a thing which no sane man could think of advocating. In mercy to their own supporters, the Government had better give a day for the purpose of stating their exact position on this question. As to the Boundaries Commission, he had no objection; but would the Government give an assurance that they would follow the recommendations of the Report of the Commission? The Government wanted all the time of the House for two Irish Bills. As an Irish Member he was flattered by the atten-

tion paid to his country; but hon. Members complained with reason that the interests of England were being neglected. Well, where did the responsibility rest?

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, he hoped the Government would not give way either to the hon. Gentlemen opposite or to his hon. Friends on that side of the House, who wished for an academical discussion on agricultural affairs; such a discussion would do no good, because it could not end in any practical result, or even in a vote. The Government had plenty to do, and had only a few more weeks to do it in. By the proposed discussion, hon. Members might advertise themselves, but nothing more would follow.

SIR JOSEPH PEASE (Durham, Barnard Castle) said, he thought the position of the Government was most lamentable. The whole time of the House had been given to them, and they had submitted no Business of importance except coercion. He hoped hon. Members would have no more coercion proposed to them until it was seen whether the Crimes Bill was likely to alter the state of things in Ireland. The whole Session had been spent in doing practically nothing. The time spent on the Coercion Bill was worse than wasted, for there never was less crime in Ireland than at the present moment. There was the railway question, which had been long enough in the hands of Committees and Commissions and must be grappled with by the House. There were also other questions of great moment which ought to be dealt with, such as that of tithe rent-charge and technical education. There was only one point in the plans of the Government with which he agreed, and that was the necessity of a Boundary Commission for the purpose of devising a scheme of local government.

MR. BROOKFIELD (Sussex, Rye) said, he felt strongly inclined to endorse one of the remarks of the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) and represent to the Government the extreme difficulty in which they placed many of their faithful supporters by not stating the view they took of the agricultural depression. His hon. Friend the Member for the Oswestry Division of Shropshire (Mr. Stanley Leighton) would, perhaps, say that in this remark he was indulging in self-advertisement, but that was what they all did to a greater or less extent. His hon. Friend also said that a discussion on agricultural depression would be of an academical character, but at the present time the state of agricultural depression demanded discussion in a business-like spirit, and it was becoming so urgent that it could not much longer be withheld from the consideration of Parliament. He appealed on this subject, not only to the evidence afforded by the Report of the Royal Commission on Trade and Agriculture, but to the experience of many Members of that House. He appealed especially to the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) as to the reality of the depression which existed in the hop industry, and he did not think that any Member was discharging more than his simple duty when he endeavoured to bring matters which were causing distress to his constituents under the consideration of Parliament; and, however much the issues involved might be postponed, they would have ultimately to be met, and though he was not then going into a matter of such wide importance, he must point out that there was a large number of Members of that House who believed that the depression at present existing, in both trade and agriculture, was directly connected with, if not directly attributable to, the fiscal policy of the country. Admitting that it might be inconvenient to face the matter at the present moment, he must urge the Government not to stretch the fidelity of their supporters too far. He hoped that the Government would accede to the request of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) and give a day—if not considerably more than one day—to the discussion of the present state of agriculture, and that they would also state their own views as to the remedies by which they thought that this distress might be removed or lessened.

MR. ILLINGWORTH (Bradford, W.) said, that the appeal the Government made for the time of the House was at least premature. The right hon. Gentleman the Leader of the House (Mr. W. H. Smith) had presented a most incomplete case for demanding the remainder of the Session. The two Bills for which time was asked—the Irish Land Bill and the Coercion Bill No. 2—were neither of

them yet before the House. The Coercion Bill No. 2 was necessary to make the Coercion Bill No. 1 complete, and therefore the Government claimed for No. 2 Bill precedence over every other measure; but these measures were well nigh intolerable to every liberty-loving Member of the House, and he could promise the Government that they would require a considerable share of the time of the House in order to deal with their supplementary measures. The House was also assured that the Land Bill was the necessary complement of the Government scheme of coercion for Ireland. But surely before the House was asked to yield up its time to the Government, it had a right to know what form their land scheme was finally to take, whether it was to be adhered to as it came down from "another place," or whether the Government would accept material changes in the measure. Those who were entitled to speak for the agricultural population of Ireland declared beforehand that this Bill, as it was presented by the Government and shaped in "another place," was wholly inadequate to deal with Irish agricultural interests. Hon. Members were entitled, before they gave up the time of the House, to ask the Government, as to the Land Bill, whether they intended to treat Amendments as admissible? He also desired to know whether the Government proposed to make any arrangement for the discussion of the important Resolutions in favour of Local Option, and in favour of the extension of the franchise to women. He supposed the right hon. Gentleman the Leader of the House would refuse facilities for the discussion of these Motions, and they would have the melancholy reflection that the whole Session had been taken up and the rights of Members had been suspended in order to pass Coercion Bills for Ireland and a Land Bill which the Irish Members declared inadequate for its purposes. Better that the gates of St. Stephen's had not this Session been unlocked.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I think the House will look for some answer to the speeches which have been made, and probably I may anticipate some observations which hon. Members intend to offer. We have now been discussing this matter for more than a hour and a half, and as we hope to make progress with Supply, I trust the House will assist the Government and assist itself by proceeding rapidly to Business. The right hon. Gentleman the Member for Derby (Sir William Harcourt) has asked me when the Criminal Law Amendment Bill will be taken. I engaged on Friday night that if the House would consent to give the time that is urgently needed for Supply on Tuesday and Wednesday, we would take the third reading of the Bill on Thursday. That, therefore, will be the day. The right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) has addressed a very earnest appeal to me with reference to the condition of agriculture, and that appeal has been supported by many hon. Members behind me without any desire to advertise themselves, I am sure, but with a real sense of the great importance of the agricultural interest, which employs the largest amount of labour, and which certainly ought to have a remunerative return for the capital which it has embarked. I fully recognize the importance of the subject, and I should be most happy to afford every facility for its consideration did the exigencies of Public Business permit. I hope that during the next few weeks hon. Members will address themselves to the consideration of the Business brought before the House, with greater regard for the dignity and decorum of this House and with a greater desire for rapidity. [*Cries of* "Oh!" *and* "Withdraw!"] I should be exceedingly sorry for language which is offensive to any part of the House; but I am bound to say that the conditions under which the Business of the country has been conducted during the last four or five months justify me in making an appeal to hon. Members who desire to show their capacity and fitness for the conduct of Public Business—justify me in making an appeal to them to assist the House to transact its Business with as much rapidity as is consistent with the proper consideration of the important subjects which must come before it. The hon. Member for Northampton (Mr. Bradlaugh) has asked a question in reference to the Employers' Liability Bill. The subject presents some very serious legal points which require great consideration. I hope, nevertheless, that

we may be able to submit a new Bill to the House this Session; but, in any circumstances, the existing law will be extended so that the interests of the employed will be protected from any possible lapse of legislation. As to the Irish Land Bill, I have to say that it is the intention of the Government to press that measure with all the energy, all the force at their disposal. We regard that Bill as a most important and vital measure, and we intend, if we are able, to pass it through this House. I hope that it may not meet with the opposition threatened by the hon. Member for East Mayo (Mr. Dillon).

MR. DILLON (Mayo, E.): The right hon. Gentleman has interpreted my words incorrectly. I have not expressed any intention to oppose the Bill.

MR. W. H. SMITH: I am glad to hear that the hon. Member has not committed himself to oppose the measure. I should be exceedingly sorry to impute anything I am not justified in doing, and I can only say that that was the impression which the hon. Gentleman's observations left on my mind. It is the intention of the Government to use all their influence to press that measure forward from day to day. A question has been asked upon the subject of allotments. With regard to that, I have to say that we do not retire from a single expression used by the Representative of the Government who spoke upon the subject some six weeks ago. I may add that the Prime Minister will make a further statement upon this subject in the House of Lords in the course of a few days. We cannot accept the Amendment of the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) for the reason which I stated earlier in the evening. We cannot afford to make any exceptions; but I shall be very glad if the Business I have indicated shall have made such progress that I shall be justified in placing time at the disposal of the hon. Member for the consideration of his Motion; and of other Motions and Bills which the hon. Member may deem to be of importance. The object of the Bill to appoint a Boundary Commission is to rectify the overlapping areas of local government districts. This will be the foundation upon which the local government scheme for England will be constructed. I am not able to include Ireland in this scheme nor Scotland, the system of local government in each of those countries being entirely distinct. The hon. Member for Kirkcudbrightshire (Mr. Mark Stewart) asked a question with respect to the Ecclesiastical Assessments Bill. I am not able to give the hon. Gentleman any undertaking upon the question; but will give him an answer in a few days. With regard to the Land Transfer Bill, I will take care to convey the suggestions made to those who are in charge of the measure. The right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) has referred to the Railway Rates Bill. That is one of the measures which we should like to pass if there should be time for the adequate discussion of the different points that arise in connection with this subject. The interests which are at stake both of trade and agriculture on the one hand, and those represented by the vast capital invested in railways on the other, are so enormous that we should not be justified in hurrying the measure through the House.

MR. BRADLAUGH (Northampton): May I ask the right hon. Gentleman what he proposes to do as to the Report of the Committee on the alleged malversation of public funds by members of the Corporation of London, as to which a specific pledge has been given that an opportunity will be afforded for discussion?

MR. W. H. SMITH: I did not regard anything I may have said in this connection as amounting to a pledge. If, as the hon. Member for Northampton says, I have given him a specific pledge that time will be found for discussing it, I will fulfil my promise. In reply to the allegation of the hon. Member for East Mayo (Mr. Dillon), that no general measures pressed by the Government extend to Ireland, I may point out that the Coal Mines Bill and the Merchandize Marks Bill both disprove his statement.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): What are the right hon. Gentleman's intentions with reference to Coercion Bill No. 2?

MR. W. H. SMITH: I cannot permit the right hon. Gentleman to suppose that I accept his description of this measure as correct. The Bill to which he refers will be introduced in the House of Lords,

and when it has made progress there I shall be in a position to say when it will reach this House.

MR. QUILTER (Suffolk, Sudbury): Will the right hon. Gentleman answer my Question on the subject of the beer Bills?

MR. W. H. SMITH: I hope that the subject of pure beer may be discussed, especially as the beer is of a non-intoxicating character; but I can make no promise. I now wish to say a few words upon the general remarks made by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone). The right hon. Gentleman described the course taken by the Government as disparaging to the dignity of the House of Commons. May I be permitted to ask what are the circumstances in which these incidents have occurred which the right hon. Gentleman regrets on the ground that they are disparaging to the dignity of the House of Commons and has reduced the legislation of this House to a condition—as the right hon. Gentleman says—of almost absolute nullity? Simply this—that the Government had felt it their duty to press on the consideration of Parliament measures which they deemed to be necessary to re-establish the maintenance of law and order in Ireland. We have been supported by a large majority of this House; but these measures have been met with an opposition entirely unparalleled in the history of Parliament, and by protracted discussions which have prevented the consideration of many other questions of immense and vital importance to the country. It is impossible for two Houses of Commons to be sitting at the same time. It was absolutely essential that the Government, responsible for the interests of the country, from our point of view, however wrong it might be considered by the right hon. Gentlemen opposite, to bring before Parliament measures which we deemed to be necessary and right, and to ask Parliament to pass them into law as rapidly as possible, consistently with due consideration and deliberation. We have been four months considering the Crimes Bill, and have been met with every species of opposition and every species of delay which Parliamentary ingenuity could invent or devise. The Government are not responsible for this, unless they are told that they are wrong in undertaking the task which they believe it to be their imperative duty to undertake, and unless they are told they are wrong in pressing on the consideration of Parliament measures which the majority believe to be necessary, although the minority entirely dislike them. I fully recognize the rights of minorities, and I have myself in the past attempted to defend them. But there is also a duty incumbent on the majority — to endeavour to carry on the Business of the country. There is a duty incumbent on the Government, and that is to meet, after much endurance and great delay, such opposition as they have experienced by the only measures which are open to them—namely, to ask the House itself to put a termination to debates which are absolutely unendurable. The country will judge whether we were right or wrong. This step has been, in the opinion of some persons, unduly delayed. Every step that has been taken has been forced upon the Government—not from any desire to restrict discussion, or to shut the mouths of hon. Members, but from every desire that they should have the fullest opportunity of discussing every question of principle which could properly be discussed, and that the House should at least be permitted to come to a decision on the question upon which they had practically made up their minds. I know I shall not convince the right hon. Gentleman that he or his Friends or hon. Gentlemen below the Gangway are responsible for the special Rules which the Government have put in force, and for the demand now made upon the time of the House. But it is, in my judgment, so. It is not the Government who wish in the slightest degree to check discussion, or to infringe on the liberties of Parliament. We know perfectly well that every step taken of this kind does disparage the dignity of Parliament, and does injure the institutions which we are bound to safeguard and maintain. But there is a still greater injury that might be done if it was made to appear that Parliament itself is absolutely incapable of rising to the importance of the duties which it is called upon to discharge, and that it is absolutely incapable of coping with opposition—made conscientiously, no doubt—but made in such a form and in such a manner that, if it is permitted

to run its length to the full extent, must bring the Parliamentary machine to an absolute dead-lock.

MR. JOHN MORLEY (Newcastle-upon-Tyne): As a matter of Parliamentary history the right hon. Gentleman is clearly wrong in stating that the opposition to the Coercion Bill has been of an unprecedented character, for as a matter of fact the opposition to the Irish remedial measures of the right hon. Gentleman the Member for Mid Lothian in the last Parliament were far more excessive. [An hon. MEMBER: You were not here.] I admit that I was not at the time a Member of the House, but I watched the proceedings very closely, and I am persuaded that what I say is true. Proposals were made in the last Parliament by the right hon. Gentleman the Member for Mid Lothian, also at a time when I was not a Member, with regard to Rules of Debate, and these were again met with the most protracted opposition on the part of the Conservative Party, which has recently by a curious irony shown themselves the most relentless and the most unscrupulous in applying them. The right hon. Gentleman is, no doubt, quite right in saying that he has stood up for the rights and claims of minorities, but that was when he was himself a Member of the minority. No sooner, however, has he crossed the floor of the House, and become Leader of the majority, than he has flung to the winds all the principles that he previously laid down. With regard to the delay that has occurred over the Crimes Bill, the right hon. Gentleman has charged us with conniving at and encouraging Obstruction. But what did the right hon. Gentleman say when a short time ago he moved the violent application of the closure? He said in words which I propose to quote very frequently during the next six months, that in spite of the "wise counsels" which had been given from the Front Opposition Bench, he nevertheless felt bound to make the Motion. If we gave "wise counsels," how can we be charged with conniving at Obstruction? Having made that admission, with what consistency can the right hon. Gentleman now turn round and say that we have been abetting Obstruction? If this Government or any other Government brings in a Coercion Bill of this character, you may depend upon it that such legislation will most certainly be met with most resolute opposition. I am willing to admit that in my opinion there was some discussion on the Coercion Bill which was of a superfluous character. But that discussion came from hon. Gentlemen who thought, and I am not sure that they were not quite right, that they were protecting their countrymen from the loss of rights which we Englishmen would not suffer to be taken from us whatever charges were brought against us. Gentlemen opposite think that they have vanquished hon. Gentlemen below the Gangway. I do not take that view. Hon. Gentlemen below the Gangway have warned us that legislation of this kind would not be passed without straining our Parliamentary forms and our Constitutional principles. That is just what has happened. You yourselves, the Conservative Party, have subjected the usages, traditions, and principles of the Constitution and of Parliament to a strain which they have never before had to undergo. The right hon. Gentleman said the country would have to judge between us. Well, on the latest occasion that we have had of consulting the country, the answer has been quite satisfactory to us. And we at least are not afraid of testing the opinion of the country on the public platform, or at the ballot-boxes as to all that we have done.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The right hon. Gentleman who has just sat down has referred to the procedure to be adopted by him on his future electoral campaign, and he has given us an interesting indication of how he intends to conduct it. He intends to cull an isolated phrase from the speeches of my right hon. Friend and drive it into the public ear. ["Oh, oh!"] Well, I do not think he will be able to find that any such expression, except that isolated phrase, has fallen from any Member of the Front Bench opposite. The right hon. Gentleman the Member for Mid Lothian has said that no one has charged him in the House with conniving at Obstruction. If the charge has not been made, it will be made. I make it. Obstruction has been connived at by him, and the great influence which he might have exercised upon the whole of his Followers—at least upon all those who

used to follow him—and I should think it might have been accepted also with some degree of deference by the right hon. Gentleman's new allies—I say that that influence has not been exerted to bring the painful proceedings on the Irish Bill to an earlier termination. The right hon. Gentleman tells us that he is going to quote the words of my right hon. Friend the Leader of the House that—"Notwithstanding wise counsels, the hon. Members below the Gangway continue to obstruct." Yes; but it was only on one or two occasions in the whole of this Session, when too late by far—when the disease had eaten in far too deeply to be eradicated—that an attempt was made by the Front Opposition Bench to check the Obstruction which has landed us in the position in which we find ourselves. You say that you are going to quote that to the country on the subject of the causes which have led to the present deadlock. My right hon. Friend the Member for Newcastle (Mr. John Morley) showed very plainly that, unless some strong measures had been taken, the Bill which we thought it our duty to introduce would never have been passed. ["Oh, oh!"] That, I think, is a fair inference from the speech of the right hon. Gentleman. What was, therefore, our duty? We thought it imperative upon us to pass this Bill; if we had not thought so, it would have been a crime in us to have spent all this time upon it. We thought it was imperative, and we think so still, and we believe we have done a service to the country. We know the sacrifices which have been imposed upon hon. Members on this side of the House, and upon English interests, through the pertinacity with which we have adhered to this work; and we are grateful to the majority of the House for the great patience with which they have supported us and the endurance which they have shown. We feel how painful it must be to many Members who have most important interests to represent in this House to sacrifice occasions upon which they might bring them forward. Many hon. Members opposite, and especially right hon. Gentlemen, scarcely know what has passed in this House, because there have been many evenings—and I am glad my right hon. Friend has given me this opportunity of informing the public of the fact—during which not a single right hon. Gentleman has been sitting on the Bench opposite, and the few hon. Members behind them who did remain joined largely in those Amendments some of which have been condemned even by right hon. Gentlemen opposite as frivolous. I do not believe that there are three right hon. Gentlemen on the Front Opposition Bench who know the kind of opposition that went on during long hours of the evening upon points of insignificant detail, and repeated over and over again. Then comes the hon. Member for Mayo (Mr. Dillon), and charges us with not being able to pass the 15 Bills which he and his Friends had introduced for the benefit of Ireland. Why are we not able to do so?

MR. DILLON (Mayo, E.): Coercion!

MR. GOSCHEN: I know that is your answer. My answer to you is that you preferred——

MR. DILLON: Preferred liberty.

MR. GOSCHEN: You preferred interminable discussion——

MR. DILLON: Preferred liberty.

MR. GOSCHEN: On points of detail which you knew as well as possible could not ultimately affect the Bill—you preferred these interminable discussions to allowing the time of the House to be saved, and so allowing it to approach those very subjects you say now we have not dealt with. The whole time of the Session is wasted, and then you charge the majority with it. We have been charged with wasting the time of the House, [An hon. MEMBER: And with breaking pledges.] How has the time of the House been wasted? On the admission of the right hon. Gentleman the Member for Mid Lothian, it is simply on account of the matter of the Bill, which is distasteful to the right hon. Gentleman, and not on account of the manner in which we have pressed it on, that we are said to have wasted the time of the Session. At all events, if we have wasted it we have wasted it in doing what in old time you considered and what we consider to be the paramount duty of a Government—namely, to maintain law and order. But for all those nights wasted in interminable discussion, where half an hour would have been sufficient to do the work of three hours, we are not responsible. My right hon. Friend (Mr. W. H. Smith) said there had been other discussions this Session in which there had been unprecedented opposition.

There were wearisome debates upon the Address, and hon. Members who have attended the House constantly well knew whether upon almost every occasion the discussion of details rather than of principles has not been carried to excess. We cannot discuss the Estimates and Supply without points ridiculously small being continually raised, almost to the exclusion of substantial questions. There is no time left to us of the present Session, and hon. Gentlemen opposite may show now to what extent they will facilitate the progress of Business and enable us to carry out some of our measures. There are also the Estimates; let them give us their cordial assistance. [*Ironical Home Rule laughter.*] You do not want to do so? Well, I tell you honestly I do not think we shall get it. Notwithstanding the one solitary occasion when wise counsels were given, I have seen little of that discouragement of the waste of the time of the House which one might have looked for from right hon. Gentlemen who occupy the Front Opposition Bench, and who know the enormous difficulty of carrying on the Executive Government of the country. I rose to answer the challenge of my right hon. Friend. He tells us that he intends to quote the saying that they had given wise counsels; but if wise counsels were given it was on one or two evenings alone, and during the rest of the Session they have neglected what we believe to be the duty of those who have held responsible Office. They have failed to assist us in what from day to day is becoming more difficult —a duty which they themselves may some day have to perform. They are not diminishing those difficulties; but by their conduct are endeavouring to fetter the arm of the Executive and to discredit it wherever they can. It is they who have interfered with the results of this Session, and if it is a comparatively barren one, we shall know where the responsibility lies.

SIR WILLIAM HARCOURT (Derby): I invite the House to consider the tone and manner of the Minister who is asking us for our "cordial assistance," and to help them in their unprecedented demand upon the time of the House. There is an agreeable contrast between what I think the right hon. Gentleman the other night called the manner of the cat. When the cat has spoken the other animals speak in a different tone. But the right hon. Gentleman is not exactly in the position of the right hon. Gentleman the Leader of the House. The right hon. Gentleman is a man who is in the position of a convert, and he speaks with a bitterness of spirit and insulting language from which I am bound to say the right hon. Gentleman the First Lord of the Treasury is free; but the Chancellor of the Exchequer always speaks in the spirit of a deserter. With regard to the charge which the right hon. Gentleman brings against us, the right hon. Gentleman the First Lord of the Treasury has attended more or less in this House—he used to come in now and then to close the debate; but the right hon. Gentleman the Chancellor of the Exchequer has been conspicuous by his absence. The right hon. Gentleman the First Lord of the Treasury said what was fair and true, that we had given wise counsels. He did not bring up untrue, unjust, and insulting charges, but the Chancellor of the Exchequer, because he cannot find a Tory on that Bench to do so, jumps up and says—"I will do it myself." I say of this right hon. Gentleman as was said before of a man in a similar position—he has left his Party as a deserter, and I hope he will never return to it. The right hon. Gentleman has brought an absolutely unfounded charge against us.—["Oh, oh!"]—a charge which the Leader of the House who sits by him has denied. We are perfectly willing to be judged in this matter by the country. I do not think you have made much progress with your charges of Obstruction and speeches in favour of coercion. The country thinks very differently. [*Cries of* "Spalding!"] The agriculturists of Spalding know what to think of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) and his necessity for coercion, and they know what to make of it. The right hon. Gentleman lives next door to them, and he jumps up to-night to make a demonstration in favour of the Agricultural Holdings Act! I have no doubt the country is thoroughly sick of the proceedings of the House of Commons; it has made up its mind thoroughly how to deal with them, but not by returning supporters of the right hon. Gentleman. If the Chancellor of the Exchequer thinks he will advance his cause by the speeches and language

he has used he is vastly mistaken. When I heard that speech I could not help repeating the old classical proverb, "Whom the gods have doomed they first of all send mad;" and when I saw the Chancellor of the Exchequer dancing on the floor of the House I said—Well, that is the death dance of one of those foredoomed men. A great deal has been said about the character of the opposition that has been offered to this Coercion Bill by the Members from Ireland. Our charge against this Coercion Bill is this—that it was an unnecessary Bill and that therefore it has been a waste of the time of this House. The Chancellor of the Exchequer says it is a vindication of law and order. We challenge an opportunity to prove that law and order in Ireland are in any danger. We have told you that this Bill—and the country is beginning to understand it—never was a Bill for the establishment of law and order in Ireland, and the agriculturists in Lincolnshire and elsewhere are beginning to understand that there is one thing the right hon. Gentleman cares about, and that is the raising of excessive rents. They understand the real character of this Bill, and therefore it is they will have nothing to do with the supporters of such measures. After the conciliatory appeal of the Chancellor of the Exchequer to this side of the House, all I will add is that this extraordinary measure—a measure which extinguishes the character of this House as the great assize of the nation in which its interests can be debated, has sent Members of Parliament to express their opinions elsewhere. The noble Lord the Member for Rossendale (the Marquess of Hartington) when he wants to express his views cannot express them in this House, but must go on the platform to state them. You have damaged and degraded the House of Commons by the policy you have pursued; you have reduced it to the position of a Vestry, and, as I told you before, the only places where great public questions can be discussed are elsewhere. You object to the opposition offered by the Irish Members to this Bill. Just try and pass such a Bill for the country at large. I will offer to it ten times as much opposition as the Irish Members have offered to this Bill, and you may denounce me as much as you like for Obstruction; and I can tell you Derby will return me and the other Members who are returned for the County all the more by reason of your denunciation. Do you think that by denouncing the Irish Members for Obstruction you have diminished the confidence of the Irish people in them? Do you think you have destroyed their influence with the people they represent? You have said that we have given the Government no assistance whatever in solving the great and difficult problem in Ireland. We have given them assistance. We have told them that the method they are pursuing is the wrong method. We have pointed out what is the right method, and, therefore, I repudiate altogether the charge which has been brought by the Chancellor of the Exchequer. I say it is an unjust and unfounded charge, couched in uncourteous and insulting language. We are obliged to use plain language upon this subject; and when persons in the position of the Chancellor of the Exchequer, representing the Government upon such an occasion as this, make the irritating and offensive speeches which the Chancellor of the Exchequer has, a sample of which he has just addressed to the House, it is necessary to protest against them, and to say that language of that kind, and conduct such as he pursues, does not add to the dignity of the House of Commons, that it does more than anything else to obstruct its proceedings, and that it begets a spirit of opposition which is much more likely to retard the Business of the country than to help its successful accomplishment.

Mr. ESSLEMONT (Aberdeen, S.) (who rose amid cries of "Divide!") said, he did not intend to make a speech—he merely wished to ask a question. Perhaps he might be allowed to ask the First Lord of the Treasury, if he understood him aright in saying that Scotland was to be excluded from the purview of the Committee which was to settle the boundaries preparatory to the Local Government measure?

The FIRST LORD of the TREASURY (Mr. W. H. Smith) (Strand, Westminster) said, that, to the best of his belief, it would be necessary to have a separate Local Government measure for Scotland, and, therefore, a separate Commission would be required.

Mr. ESSLEMONT said, what he and the other Scottish Members wished to know was, whether the proposal of such

a Commission for Scotland would be included in the Government measures for the Session? In other words, did the right hon. Gentleman propose to take the same steps with regard to Scotland as he proposed to take with regard to England?

MR. W. H. SMITH: If the necessity arose, a separate Boundary Commission would certainly be moved for. He was not, however, informed of the particulars of the case, and he would be glad if the hon. Member would give Notice of the Question. In that case, he would at once answer it.

MR. HUNTER (Aberdeen, N.) said, that he must call the attention of the House to the very scandalous way in which Scottish measures had been neglected by the Government. At the beginning of the Session, a large number of Scotch Members met to consider what were the Bills which should be promoted during the course of the Session. They were extremely moderate in their demands; but there were three measures in particular which they desired to bring before the House. One of these measures was a Bill to regulate the expenses of Returning Officers—a measure which was approved of by the large majority of Scotch Members, and which ought before now to have been on the Statute Book. There was another measure prepared by his hon. and learned Friends the Members for Haddington and East Fife (Mr. Haldane and Mr. Asquith), dealing with an old standing grievance in Scotland—the Law of Entail. That was a subject upon which public opinion in Scotland had been long ripe for legislation. There was another measure introduced by his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay), and although he was a Liberal Unionist, his Bill had met with no better fate than those brought in by the Liberals. It was a Bill for improving the tenure of land in Scotland. What were hon. Members going to say to the Scotch people at the close of the Session, when they were asked to explain why nothing had been done for Scotland? What had the Government done? They had been doing something in Ireland. They had been aiding ruthless exterminating landlords in driving the cultivators off the soil—the industrial classes from the homes which they themselves had built. And what had the Government done in that House? They had introduced a Bill with the object of garrotting the Irish tenants, while the landlords calmly picked their pockets. He had heard some complaints with regard to the time that had been occupied by the discussion on the Irish Coercion Bill. He was bound to say that if such a measure had been introduced for Scotland, they would not have got so far with it as they had got with the Irish Bill. It seemed to him that the Irish Members had discussed the Bill with a moderation both as to the number of their Amendments and the length of their speeches which was remarkable, considering the character of the Bill. Never was greater nonsense talked of than that there was Obstruction in regard to that Bill. It was a Bill altering, in a fundamental manner, the Criminal Law of Ireland, introducing great novelties in legislation, and full of blunders; and when a Bill introducing changes not nearly so vast in the Criminal Law of England occupied a whole Session in connection with three or four clauses, he maintained that, having regard to the importance and complexity of the subject, it was a monstrous assertion to say that too much time had been occupied by the Irish Members. In conclusion, he would advert to the Railway Regulation Bill. Clauses 24 and 25, which altered the law with regard to undue preference, and which introduced new laws with reference to the classification of rates, were the two bones of contention between the different interests that were affected by the Bill. If the Government would omit these clauses and content themselves with passing the rest of the Bill, which provided better machinery for the existing law, hon. Members on his side would help them to add that Bill to the measures which they hoped to pass during the present Session, and there would be no reason why they should not have the credit of doing so.

MR. MOLLOY (King's Co., Birr) said, that the speech of the Chancellor of the Exchequer was most insulting and more ill-mannered than might have been expected from a Gentleman in his position—a Gentleman who had so lately changed his coat and deserted his Party and his principles. The Bill which the House had been discussing, and which they had opposed, was founded on the broken pledges of sup-

porters of the Government, who dared not go to their constituents because of those pledges. The Bill had been forced through the House of Commons backed by slanderous and diabolical libels which had been published by the connivance of the Tory Party. He made that statement, and was prepared to prove it. An official statement appeared under a large heading in *The Globe* announcing that the police had information that 100 Invincibles were preparing to use explosives in this country, and that was published on the day of the Spalding Election. Hon. Members opposite had no compunction in going down to their constituents with their hands full of lies and circulating them through the country. And yet the First Lord of the Treasury spoke of the dignity and decorum of the House!

MR. TOMLINSON (Preston) rose to Order, and asked whether the hon. Member was entitled to speak of Members going to their constituencies "with their hands full of lies?"

MR. SPEAKER said, he had not heard the expression, but if it had been used it was highly un-Parliamentary, and would, of course, be withdrawn. He might point out that a retrospect of the Session was in Order only so far as it related to the question of the future absorption of the time of the House by the Government.

MR. MOLLOY said, he referred to *The Times* pamphlets which had been published in the country, and which he distinctly stated to be lies. Hon. Members opposite were unable of their own knowledge to say whether the statements in those pamphlets were true or not, and yet they were not ashamed to circulate those lies among their constituents. They were told that the opposition offered to the Crimes Bill had been indecorous and undignified. The First Lord of the Treasury, however, admitted that the action of the Irish Members had been conscientious; so long, however, as they were treated to insolent and ill-mannered speeches, he would rise in his place and reply to them.

MR. CHAPLIN (Lincolnshire, Sleaford) said, he was anxious to make a quotation from a speech of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), in order to illustrate the value which might be attached to some of the statements made by right hon. Gentlemen on the Front Opposition Bench. He was sorry that the right hon. Member for Newcastle (Mr. John Morley) was not in his place, because in the course of his observations he had the assurance and audacity to declare that the opposition offered by Gentlemen who at that time sat on his own side of the House to the passing of the Irish Land Bill of 1881 had absolutely exceeded the Obstruction offered to the passing of the Crimes Bill this Session. He wished to test the value of this assertion by reading a sentence in *Hansard* from the speech of the right hon. Member for Mid Lothian on the occasion of the third reading of the Land Bill. The right hon. Member for Newcastle admitted that he was not a Member of the House at that time; but the House would remember that the right hon. Gentleman said he watched and read all the proceedings carefully. Against his statement he placed that of the right hon. Member for Mid Lothian on the third reading of the Bill—

> "I take this opportunity of saying that, so far as regards themselves," that is, the leaders of the Party "and the bulk of the Party who act with them, although, of course, it is a matter of serious lamentation to us that a large body of Members of the House of Commons, and many distinguished Members, decline to recognize the necessity of the provisions that we have proposed, yet, as to the mode of their opposition, I am bound to say of them, and of the bulk of their followers, that I do not think we have any reason to complain."—(3 *Hansard*, [264] 150.)

That was his reply to the unfounded and ridiculous statements of the right hon. Member for Newcastle.

MR. BIGGAR (Cavan, W.) said, he had listened to the quotation read by the right hon. Gentleman opposite (Mr. Chaplin), showing that the bulk of the Tory Party had not, according to the admission of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), been guilty of obstructing the Land Bill in 1881, and thought it proved nothing whatever. If they could get the opinion of that right hon. Gentleman on the present measure, he (Mr. Biggar) had no doubt that the right hon. Gentleman would use exactly the same words with regard to the opposition of the Irish Party to the Coercion Bill as he had with reference to the Tory Party and the Land Bill of 1881. After

all, the evidence adduced by the right hon. Gentleman (Mr. Chaplin) was of no value whatever. Before he (Mr. Biggar) sat down he would only make reference to some words that fell from the First Lord of the Treasury. That right hon. Gentleman gave the House a lecture on dignity and decorum. He (Mr. Biggar) did not think the use of those expressions came with a good grace from the right hon. Gentleman; and he would appeal to the House whether the right hon. Gentleman was a striking example of dignity and decorum in his own person? With regard to dignity, he must say that he had seen Leaders in the House of Commons before the right hon. Gentleman had assumed his present Leadership, and he must bear witness that, as far as his experience went, the decorum with which the Business of the House was conducted in former times gave him (Mr. Biggar) a very much higher idea of dignity and decorum than he had observed in the Leadership of the right hon. Gentleman. When the First Lord of the Treasury lectured hon. Members below the Gangway on that subject, the right hon. Gentleman should himself first take a few lessons in dignity and decorum. He (Mr. Biggar) would also point out that before the First Lord of the Treasury sat down he made a very curious admission, for he acknowledged that his Leadership had disparaged the dignity of Parliament. He thought that was an exceedingly honourable admission, and a true one. He (Mr. Biggar) hoped the right hon. Gentleman would show a little more modesty, and not lecture hon. Members for their conduct in the future.

MR. PICKERSGILL (Bethnal Green, S.W.) said, the appointment of a Boundary Commission would be a proper step if taken at the proper time; but the country would be greatly astonished to find that the Government was only now at the initial stage of local government reform. For months the country had been deluded with the idea that the Government had their Local Government Bill ready, and that they were only waiting an opportunity to introduce it. In these circumstances the Government had framed their Bill without having first acquired that information which alone could form the basis of a satisfactory Bill.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the remarks of the hon. Gentleman showed that he had not studied the question of local government. It was perfectly well known to Members on both sides of the House that one portion of the Local Government Bill must of necessity be a re-arrangement of overlapping boundaries, and that had always formed part of a Local Government Bill. It would also have formed a portion of the Bill which the Government would have introduced this Session if they had been fortunate enough to have had time for the purpose. What they proposed was this—the arrangement of those boundaries would necessarily take up a considerable time; and, if their Bill had been introduced, it could not have come into operation until the boundaries had been accepted. They, therefore, proposed to take that part of the Bill which was not contentious, and to have a Commission appointed which would take advantage of the interval between this time and the next Session for proceeding with the essential work of defining boundaries. So far from delay being involved in the course they proposed to adopt, it would be a decided step towards the realization of that scheme of local government which Her Majesty's Ministers were anxious to put before the House and the country.

MR. F. S. STEVENSON (Suffolk, Eye) said, that when the Boundary Commissioners were appointed to carry out the Redistribution of Seats Bill a certain principle had been laid down beforehand by that House—namely, that the new constituencies were to be based, not on the Petty Sessional Division, but on the Poor Law Unions. But, in the present case, the Commission was to be appointed before the House had settled what was to be the principle of the different areas. He wished to know whether the House would have an opportunity for discussion as to what the nature of the areas would be?

MR. RITCHIE said, there would be no opportunity of discussing what the foundation of the Local Government Bill would be; but all that the Boundaries Bill was intended to do was to bring all the rating areas within the counties. At present they might extend to two or three different counties. The idea was

that all Unions ought to be brought within the counties. The question of unit would not be prejudged.

LORD HENRY BRUCE (Wilts, Chippenham) observed, that in the midst of that great city—the richest in the world—there were 50,000 families who had only one room each to live in. That state of things was a disgrace to their Christian civilization; and he appealed to the Government whether it was not their duty to give a day for the discussion of one of the most important social questions affecting the dwellings of the people?

DR. TANNER (Cork Co., Mid) said, he would advise hon. Members that now was the day and now the hour for them to strike, if they wished to promote the various measures in which they were interested. Let them try to make some impression on the Ministerial Bench, which was harder than granite. The 19 Bills which the Irish Members had placed on the Paper had been immediately blocked, and hon. Gentlemen opposite should not be surprised if reprisals were obtained by the blocking of their own Bills. It would be better if hon. Gentlemen, instead of asking him to remove blocks from Bills, took care that the Government did not deprive the House of the time to which private Members were entitled.

Question put.

The House *divided:*—Ayes 85; Noes 165: Majority 80.—(Div. List, No. 280.)

MR. ESSLEMONT (Aberdeen, E.) said, he had no intention of occupying the time of the House in further debating the Motion; but the fact was, that one hon. Member after another had called attention to the importance of having one day for a discussion of the agricultural interest of the country. On a former occasion this Session he drew attention to a portion of this subject, and he thought it would be a pity if any opportunity was not given to many hon. Members on the other side of the House, who had expressed great interest in the question, for further discussion. He should not have brought forward the Motion he intended to move if it were in connection with anything that might be termed a "fad" or a "faddist" idea. The condition of agriculture interested hon. Members below the Gangway on this side of the House—it interested those Liberals who were called the Opposition. They were told to-night that it interested even more hon. Members above and below the Gangway on the other side, and he was sure it would be disappointing to them if they had not given them an opportunity of testing the sincerity of their demand in the interest of agriculturists for one day more for the discussion of the condition of their industry. The question was of the most urgent character, and even if this Session should be one day longer than the Government at present intended, if they should lose a day's shooting in order to discuss it, he did not think the House could be better employed. For these reasons he moved to add at the end of the Motion of the First Lord of the Treasury—

"But that a day be granted for the discussion of the present condition of the agricultural interest."

MR. R. T. REID (Dumfries, &c.) seconded the Amendment.

Amendment proposed,

At the end of the Question, to add the words "but that a day be granted for the discussion of the present condition of the agricultural interest."—(*Mr. Esslemont.*)

Question proposed, "That those words be there added."

THE SECRETARY OF STATE FOR THE COLONIES (Sir HENRY HOLLAND) (Hampstead) said, he regretted very much the absence of many of his Colleagues at this moment; but the Motion had certainly been sprung upon them very unexpectedly. On this side of the House they were rather sceptical as to the great desire of the hon. Member that they should have a day for the discussion of agricultural questions. The position taken up by the hon. Gentleman reminded him of the lines so often quoted by Colonel Sibthorpe, who was some time ago a Member of this House—

"Timeo Danaos et dona ferentes."

He (Sir Henry Holland) distrusted this anxiety of the hon. Member to give effect to the wishes of the Conservatives who were interested in agriculture. The anxiety of the Government that the discussion referred to by the hon. Member should take place could not be overrated. They were all aware of the extreme depression which had so long prevailed, and of the gallant way

in which agriculturists had fought against it; but, as the First Lord of the Treasury had pointed out, they could not allocate a day for the consideration of any one of the many subjects which had been alluded to that evening, because, were they to do so, they would at once be pressed to set apart days for the discussion of other matters. The feeling was generally entertained upon both sides of the House that agriculture was suffering from depression, and, therefore, a Division on this Amendment would indicate, not that hon. Members on the Government side of the House were not as anxious as those opposite to take any steps that might be necessary to alleviate that depression, but that they felt that the state of Public Business was such that it was impossible for the First Lord of the Treasury to give any other answer to this proposal than that he had given.

MR. ESSLEMONT said, he was sure that the right hon. Gentleman did not wish to do him injustice. He had risen before when the House was very full, and there was great impatience for a Division on the Motion of the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson). He at once gave way in deference to the feeling of the House; but he intimated at the same time that he desired to move an Amendment.

SIR HENRY HOLLAND said, he was not exactly aware how far the hon. Gentleman had given Notice of his intention to propose the Amendment; but he was perfectly aware that the Amendment had taken a great many Members by surprise.

DR. FARQUHARSON (Aberdeenshire, W.) said, that hon. Members opposite representing agricultural constituencies ought to be grateful to his hon. Friend and Colleague (Mr. Esslemont) for the opportunity he had given them of showing, in a practical form, their desire to do justice to the agricultural community. Some hon. Members opposite had gone so far as to say that the ties of Party allegiance were being severely strained by the refusal of the Government of a day for the discussion of that subject. They were all aware of the great depression prevailing in the agricultural community, and it would be only fair to have a night or two nights to discuss the question, if only to prepare the way for future legislation. If they had not that opportunity, he did not know what they were to say to their agricultural constituencies when they went back to them in the autumn.

MR. T. E. ELLIS (Merionethshire) observed, that the least that the Government could do would be to give a day for the discussion of this most important question.

Question put.

The House *divided:*—Ayes 82; Noes 139: Majority 57.—(Div. List, No. 281.)

Main Question put.

The House *divided:*—Ayes 146; Noes 85: Majority 61.—(Div. List, No. 282.)

Ordered, That for the remainder of the Session, Orders of the Day have precedence of Notices of Motion on Tuesday, Government Orders having priority; that Government Orders have priority on Wednesday; and that Standing Order XXI., relating to Notices on going into Committee of Supply on Monday and Thursday, be extended to the other days of the week.

ORDERS OF THE DAY.

—o—

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Motion made, and Question proposed,

"That a sum, not exceeding £37,635, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Buildings of the Houses of Parliament."

MR. CAVENDISH BENTINCK (Whitehaven): I rise for the purpose of moving the reduction of the Vote by the sum of £100. No doubt, my right hon. Friend the First Commissioner of Works will be aware that this is only a formal Motion, my object being to ascertain who is the real custodian responsible for the building in which our deliberations now take place. I am sorry to see that my right hon. Friend the First Commissioner of Works is the only Representative of the Government on the Treasury Bench, because his Representative in "another place," when appealed to a short time ago, said he knew nothing whatever about the matter, and could not say who was responsible. I wish, therefore, that my right hon. Friend the First Lord of the Treasury could have remained in his place, so that, if possible, he might

have given to the Committeee a little of the information we desire to receive. In order to put the case in the simplest manner before the Committee, I may state that, some years ago, the minds, not only of Members of this House, but of all persons interested in art, were startled by the appearance in the Central Hall of this building of a statue of Earl Russell. Now, the Central Hall is one of the most successful creations of modern times, and it is an apartment upon which the the late Sir Charles Barry bestowed the best power of his talents and energies. It is an undoubted fact that this creation of the genius of Sir Charles Barry has always been admired by every skilled person, no matter to what particular school of art he might belong. I must confess, therefore, that I was much startled when I saw this ungainly and somewhat grotesque statue erected in the Central Hall. I had the honour in this House of sitting opposite to Lord John Russell for many years, but never saw him present any appearance resembling the statue, and much as I might desire to see his statue within these walls I dispute altogether the propriety of putting it up in the Central Hall, where it is entirely out of keeping with the surrounding architecture. The then President of the Institute of Architects—Mr. Whichcord —together with Mr. Charles Barry and Mr. Edward Barry—two of the sons of the late Sir Charles Barry — were in entire accord with me in condemning, not only the statue itself, but the position in which it has been placed. If any hon. Member will take the trouble to go to the Central Hall, he will see that the principal idea of Sir Charles Barry was the creation of four doors leading to the centre of the building, and the effect of putting up this statue has been to block up one of those four doors. I am informed that the statue was put up on the recommendation of a Committee, of which one of the principal Members was the late Lord Beaconsfield, at the time when Mr. Gerald Noel was Chief Commissioner of Works. The Chief Commisioner of Works, however, would appear to have no control over matters of this kind; but the principal portions of this building are under the control of an hereditary functionary styled the Lord Great Chamberlain. The Lord Great Chamberlain acts in the name of the Office of Works, but the Office of Works knows nothing about him, and how the statue got there nobody seems to know; but it is quite certain, however, that when once a statue has been placed in a similar position, it is a very difficult thing to get it removed. At any rate, in this instance, the statue of Earl Russell has been allowed to remain. Unfortunately, a rumour has reached us that the experiment is about to be repeated, and that the Committee which has been appointed for the purpose of setting up a memorial to the memory of an eminent politician whom we all revere, and for whom we have always had the greatest possible respect and veneration — namely, the late Lord Iddesleigh, have decided to set up his statue in a position in the Central Hall, which will have the effect of blocking up another door. This being so, I ventured to address a Question to my right hon. Friend the First Lord to the Treasury, who, I am bound to say, did not answer that Question with the utmost amount of politeness, notwithstanding the matter is very important, and that the Representative of the First Commissioner of Works in "another place," when questioned on the subject, said that he knew nothing about it. It was for that reason that I addressed a Question to the First Lord of the Treasury, and his answer to me was simply that I had better go and ask the Lord Great Chamberlain. Now, in order to save the time of this House, the Lord Great Chamberlain had already been asked, and he—Lord Aveland—of whom I desire to speak with the greatest possible respect, for everybody is acquainted with his high character, is thus placed, as Lord Great Chamberlain, in an invidious position. No doubt, his Office is one which has something anomalous about it, and however much he might, perhaps, desire not to see this statue set up, at the same time, when he was requested to give permission, upon the high authority of the distinguished individuals who compose the Committee, he must undoubtedly have found himself placed in a difficult position. I, for one, should be very glad if some arrangement could be made whereby the Office of Great Chamberlain could in this respect be relieved of the great responsibility which now attaches to it, and that the control of

this building be vested in the Office of Works, or in some other Department of Her Majesty's Government. It is for this reason that I have brought the matter before the Committee now, in the hope that some opinion may be expressed with regard to it. I have mentioned the rumour that a second statue is to be put up in the Central Hall to the late Lord Iddesleigh, and I understand that the consent of the Lord Great Chamberlain has been obtained to its erection. I very much regret that such a decision should have been arrived at in opposition to the view of the sons of Sir Charles Barry and of the present President of the Institute of British Architects, as well as of other skilled architects who have expressed the same opinion. To put up another statue there will altogether destroy the design of Sir Charles Barry. At present the statue of Earl Russell stands there by itself, and it may be removed; but if a second statue is put up, it will, I am afraid, render it more difficult than ever to retain the Central Hall in the condition in which it was designed. I have taken some trouble to examine all the designs, reports, and papers, of the late Sir Charles Barry, dating 40 years back, in relation to the subject, and I cannot find in any of them that it was ever contemplated to erect a statue in the place where it is proposed to put these statues. I now come to another point which has some bearing on the question—namely, what are we to do with the statues it may be desirable to erect of celebrated Englishmen? Where ought they to be put up? If hon. Members will examine the Lobby of the House, they will find eight pedestals placed there for the purpose of receiving the statues of distinguished statesmen, all of which are at present unoccupied. What I wish to impress upon the House is that my right hon. Friend the First Lord of the Treasury has already disclaimed any responsibility in connection with this subject, and my object in raising the question is to elicit an expression of opinion as to who is responsible. I have no wish whatever to reduce the amount of the Vote; but my object has been to bring the matter before the Committee, in the hope, first of all, that, sooner or later, the Central Hall may be cleared of the statue which is now placed there, and that the anomaly may not be aggravated and perpetuated by the putting up of any other statue there. I beg to move the reduction of the Vote by the sum of £100.

Motion made, and Question proposed, "That a sum, not exceeding £37,535, be granted for the said Service."—(*Mr. Cavendish Bentinck.*)

MR. LABOUCHERE (Northampton): We have already made considerable advance in the shape of blocking Bills, and we have now arrived at the poin t of blocking doors. Any hon. Member, by going into the Central Hall, will see how very absurd it is to place a statue before any of the doors in that Hall. The present monument is entirely out of place. The right hon. Gentleman opposite has expressed a hope that the effect of a discussion in this Committee will be to prevent the erection of a statue of Lord Iddesleigh in the Central Hall, and to secure the removal of the statue of Lord Russell, which is already there. I trust that the anticipations of the right hon. Gentleman will be realized, because I am afraid that as long as the statue of Lord Russell remains there, there will be a tendency to block up the other doors, and that we shall eventually have four statues in the Hall, blocking up all the doors. It appears from the statement of the right hon. Member that the ultimate decision and control in all these matters is in the hands of the Great Chamberlain.

MR. CAVENDISH BENTINCK: The Lord Great Chamberlain.

MR. LABOUCHERE: Well, the Lord Great Chamberlain—an hereditary official. The Office, I believe, is sometimes held by a woman, and sometimes it runs in two families. [*Cries of* "No!"] Well, I confess that I do not know very much about it; but at the present moment I believe I am right in saying that the Office is held by a woman, who is represented by a man. At any rate, it is one of those absurd and ridiculous hereditary offices which ought to share the fate of heraldry and all such nonsense, and be set aside. Surely we ought not, in the House of Commons, to be dominated in this way by an hereditary Lord Great Chamberlain. I presume the next step will be to provide us with an hereditary Chief Commissioner of Works, and that, instead of having the able right hon. Gentleman now sitting on the Treasury Bench as the defender of the Government, we shall have some hereditary Gentleman

sitting there, with an hereditary right to decide in these matters. The mere fact that the decision is in the hands of an hereditary Lord Great Chamberlain is sufficient for me, even if I thought the hereditary Lord Great Chamberlain was as right as I believe him to be artistically wrong in placing statues in the Central Hall. I regard the Amendment of the right hon. Gentleman, not only as a protest against these particular statues, but as a protest against an hereditary Lord Great Chamberlain of England having any decision in such matters; and, therefore, I shall vote for the Motion of the right hon. Gentleman.

DR. FARQUHARSON (Aberdeenshire, W.): I wish to put a question to the First Commissioner of Works in relation to the frescoes in the Upper Lobby—I mean the Lobby at the end of the Committee Rooms, which is now used as a hat and cloak room. Those frescoes are at present in a tattered and wretched condition, with the paint pealing off and dropping from the walls; and I think we ought to get an opinion from experts as to whether they are beyond the reach of restoration or not. If they cannot be restored, I think it would be better to remove them altogether from the walls, which they can hardly be said any longer to adorn. The right hon. Gentleman opposite has directed attention to the pedestals in the corrider outside the House, which are not yet filled with statues. There are, however, many other parts of this building which are in an unfinished condition. Look at the Central Hall itself. There is only one mosaic placed there in the Hall beyond the Lobby, although there are four vacant places, and I think that is a fact which is hardly creditable to a great institution like this. I do not know whether I shall be in Order in saying a word or two about some of the frescoes in "another place;" but I should like to call attention to two of the large frescoes of Mr. Maclise, which are undoubtedly going to the bad as fast as they can.

THE CHAIRMAN: The hon. Gentleman will be quite in Order in discussing these matters upon the present Vote; but an Amendment has been moved to reduce the Vote by £100 in connection with a particular matter, and I would suggest to the hon. Gentleman that it may be better to discuss that question first.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): I think it is desirable, and will be convenient to the House, that I should rise at once and take part in the discussion. My right hon. Friend who introduced the subject said very fairly that he only moved the Amendment in a formal way with a view of obtaining information. I shall have great pleasure in giving him all the information I possess; but, in the first place, let me say a word in reference to the answer which my right hon. Friend the Leader of the House gave to the question put to him by the right hon. Gentleman. I am perfectly sure that nothing was further from the intention of my right hon. Friend than to say anything discourteous to the right hon. Gentleman who has moved this Motion. I believe that my right hon. Friend was not aware that the right hon. Gentleman had already applied to the Lord Great Chamberlain on the subject, and the only answer that he could possibly give was that the right hon. Gentleman should apply to the Lord Great Chamberlain, who was supposed to be the authority in the matter. Of course, it is quite possible that Parliament may take the view that the authority in such matters as this should be placed in other hands than those of the Lord Great Chamberlain; but I do not think myself that the authority could be placed in better or more able hands. In regard to the statement that a statue of Lord Iddesleigh is about to be placed in the Central Hall, I will explain at once to my right hon. Friend how far the Department I represent is concerned in the matter. It is by the authority, in the first place, of the Lord Great Chamberlain that statues are placed in the Central Hall of this building. It is necessary to obtain his authority, but when they have been placed there they are handed over to the charge of the Department of Works, and I will tell my right hon. Friend all I have been able to ascertain in regard to the matter. The hon. Member for Northampton (Mr. Labouchere) says that in his view the statue of Lord John Russell ought to be removed. Now, the question as to whether there should be another statue of any other statesman set up in the Central Hall must to a certain extent be governed by the question whether the statue of Lord John Russell

originally placed there ought to have been put there or not. If that statue were removed, then, of course, it would come to this, that no other statue would be placed there. My right hon. Friend says that he and all the rest of the world were astonished one day to find that a statue of Lord Russell had been placed in the Central Hall, and he does not know how any person could ever have got such an idea into his head. My right hon. Friend also talked of the absurdity of placing a statue in that Hall. But this is how it occurred. In 1879 a Committee was appointed for the purpose of erecting a statue of Lord John Russell, and they obtained the authority of the Lord Great Chamberlain for that purpose. The record of the transaction which I have found in my Department is simply this—there was a letter written by Lord Granville, who was, I think, the Chairman of the Committee to my Predecessor, the then Chief Commissioner of Works, in which Lord Granville expressed a hope that the Commissioner of Works would be able to grant the formal authority to have the statue placed in the Central Hall. That, as far as it went, was the message it was necessary to send in order to obtain the sanction of the Department. But Lord Granville went on to say that a Resolution had been passed by the Committee of which he was Chairman, and when my right hon. Friend considers the weight of the authority of that Committee I think he will find that the consensus of opinion was not altogether so strongly against the proposal as he seems to imagine. I think he will be rather surprised when I read the names of those by whom it was agreed that the statue of Lord John Russell should be placed in the Central Hall. A series of Resolutions were passed by the Committee, the Preamble being to this effect—

"The Chairman reported that on Saturday, the 10th instant, the Committee, who were summoned with the consent of the Chief Commissioners of Works, met in the Central Hall of the Houses of Parliament, where they had the advantage of the attendance of Lord Beaconsfield, Mr. Gladstone, Mr. Barry (one of the sons of Sir Charles Barry, I suppose), and others.

MR. CAVENDISH BENTINCK: What Mr. Barry?

MR. PLUNKET: I can only say that there was a Mr. Barry, and that I presume he was a son of Sir Charles Barry.

SIR JULIAN GOLDSMID (St. Pancras, S.): It was Mr. Evelyn Barry, R.A.

MR. PLUNKET: They were all assembled there to view the model exhibited by Mr. Boehm on the site which the Committee thought most appropriate, and it was then unanimously resolved as follows:—

"That approval is hereby given to the suggestion to place the statue in the Central Hall of the Houses of Parliament, on the site fronting the doorway leading to the office of the Clerk of the Crown."

Therefore, although the views of my right hon. Friend may be weighty, it must not be supposed that he has undisputed sanction for them. In dealing with the question whether statues ought to be set up in that Hall, we must be very much guided by the fact whether Lord Russell's statue is still to remain there. It certainly appears that that statue was set up with the unanimous authority of a Committee presided over by Lord Granville, and assisted by Lord Beaconsfield and Mr. Gladstone. As to whether statues ought to be set up in the Hall immediately outside of this House, I should be obliged to my right hon. Friend if he will refer to the particular Report of Sir Charles Barry dealing with that subject. I may be wrong, but it occurs to me that if statues of statesmen are to be set up there that they will be placed at such a height as to be seen at a great disadvantage in comparison with others more favourably situated. It seems to me that such pedestals will hardly be suited for the purpose, although they may be very suitable for statues of Knights and Kings, and other personages of ancient times.

SIR GEORGE CAMPELL (Kirkcaldy, &c.): I am afraid that the Committee are incurring the imputation that while Rome is burning they are fiddling. The country is said to be going to the dogs—the whole Session has been occupied in debating the question of Coercion; and now the Committee are spending the evening in debating the question of a statue. The Government and their supporters charge the Opposition with Obstruction in debating the Crimes Bill, and yet, while important Business is being pushed aside, the Committee are asked to discuss at length a

trivial question like this. The First Commissioner of Works does not, however, charge the right hon. Gentleman who moved the Amendment with Obstruction; instead of doing so, he has answered him in the gravest manner. In my judgment, taking into consideration the present circumstances of the country, hon. Members who occupy the time which ought to be devoted to more serious matters by discussing such subjects as this are wasting the time and obstructing the Business of the House.

MR. PLUNKET: I must say that I entirely agree with the hon. Member who has just sat down, but the question was directly asked me by my right hon. Friend, and it was supported by the hon. Member for Northampton. I think the hon. Member ought to settle accounts with the right hon. Gentleman and the hon. Member for Northampton.

MR. PULESTON (Devonport): The hon. Baronet opposite——

SIR GEORGE CAMPBELL: Not hon. Baronet.

MR. PULESTON: Then I think by this time the hon. Member ought to be an hon. Baronet. Well, the hon. Gentleman has occupied the time of the Committee according to his own showing somewhat unnecessarily. I am quite sure that there was no desire on the part of my right hon. Friend the Member for Whitehaven (Mr. Cavendish Bentinck) to raise any discussion upon this question of statues which could be derogatory to the services of so distinguished a statesman as Lord Iddesleigh, and my only wish in rising was to guard against its going forth, as I am afraid it often does go forth in the newspapers, and is thus carried through the country, that a discussion like this has been initiated with any intention of casting a slur on the memory of either of the illustrious men whose names have been mentioned. ["Hear, hear!"] I am glad to hear that cheer from the hon. and gallant Member opposite. I am sure I am only expressing the opinion of hon. Members on both sides of the House when I say that it ought not to go forth to the country that the question of these statues has been raised with any desire to depreciate the services either of Lord Iddesleigh or of Lord Russell. I am sure that nothing could be further from the intention of my right hon. Friend in moving the Amendment. I am certain that he had no desire to do anything but to pay the highest possible tribute to the memory of Lord Iddesleigh—a memory which still lives in the recollection of the House and of the country. I trust that my right hon. Friend will not go to a Division with the Amendment, but if by any chance the Amendment itself should be carried, I would express a hope that whatever may happen in the event of the statue of Lord Iddesleigh not being placed in the Central Hall the statue of Lord Russell will be at once removed from it. If that is not done I am afraid that a stigma would be cast upon the memory of the noble Earl whom we all knew so well when he had a seat in this House. I feel that if the question could arise now or hereafter as to the impropriety of placing the statue of Lord Iddesleigh in the Central Hall steps will be taken to discuss and decide the question whether the statue at present there should not be removed. As a matter of fact, I think that there ought to be four statues or none. But I only rose to call the attention of hon. Members to the necessity of avoiding anything in the discussion which might be misinterpreted out-of-doors as to the motives of my right hon. Friend in bringing the Amendment forward. I am satisfied that neither my right hon. Friend nor my hon. Friend the Member for Northampton or anyone else is desirous of doing anything beyond calling attention to artistic facts.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I should be glad to learn whether the First Commissioner of Works has had any difficulty in obtaining information from the Lord Great Chamberlain, and whether information has been withheld, because it would appear from the nature of some of the answers which have been given to Questions in this House, that the amount of information in the possession of the Government in regard to these matters is very limited. I presume that we are called upon in this House to provide the necessary funds for the erection of statues, and it is, therefore, desirable to learn whether any information is withheld from right hon. Gentlemen who represent the spending department of the Government.

MR. PLUNKET: I may say that no part of the expense of this case is to be borne by the country.

MR. LABOUCHERE: I must express my surprise at the course taken on this occasion by the hon. Member for Kirkcaldy (Sir George Campbell). If the question related to a statue of Wallace or Bruce we should have had a debate on it lasting for hours and hours, in which the hon. Gentleman and every Scotch Member of the House would have got up and spoken at length. Of course there is no intention on the part of any Member of the Committee to cast the slightest stigma upon the late Lord Iddesleigh. On the contrary, it is because I admire Lord Iddesleigh, and because I believe that that admiration is shared on both sides of the House, that I want his statue to be put in a proper position, and not in the absurd place in which it is proposed to put it. The First Commissioner of Works said very truly that if we object to the statue of Lord Iddesleigh being placed there, we ought to object also to that of Lord Russell. We do object to it, because it blocks up one of the doorways in the Central Hall. The right hon. Gentleman has appealed to a Resolution passed by a Committee, and he says that Lord Granville, Lord Beaconsfield, Mr. Gladstone, and Mr. Barry met, and came to the conclusion that the Central Hall was the proper place. Now I have eyes, and I think my opinion is just as good on a matter of this kind as that of all the eminent statesmen who have been mentioned. All I would ask is that any hon. Member should give his mind to the matter, and exercise his own common sense. What is a door for? It is to go through; and it was never intended that a dead statue should be stuck in front of it. That, I think, is an absurdity. Any hon. Member can see for himself what an utter absurdity it is, and I hope that a Division will be taken on the question by way of entering a protest not only against the statue of Lord Iddesleigh being erected in the Central Hall of this building, but also against the statue of Lord Russell remaining there.

SIR JOHN SWINBURNE: If hon. Members will turn to page 187 of the Votes, they will see an item of £300 for providing stone pedestals instead of wooden ones in Westminster Hall.

MR. PLUNKET: That is an old Vote.

SIR JOHN SWINBURNE: Yes; but the next item is one, not of £300, but of £500, for alterations and works of a minor character. What is proposed to be done with that £500? Will the right hon. Gentleman give a detailed statement of the way in which it is to be expended?

MR. DE LISLE (Leicestershire, Mid): It is not often that I agree with hon. Gentlemen opposite, but I do on this occasion, and I am sorry I was not in the Committee when the remarks of my right hon. Friend the Member for Whitehaven were made. If I had been, I should certainly have felt bound to support him in urging the Chief Commissioner of Works to use all his influence in order to prevent another statue from being placed in the Central Hall. Speaking from an artistic point of view, I think that a very great mistake has been committed. Whether the internal arrangements are from designs by Sir Charles Barry or Augustus Welby Pugin, no architect will venture to assert that either of these men of genius intended isolated statues to stand in this Hall, or that they can be placed there without throwing everything in it out of proportion and out of harmony. The statuary in the mouldings of the arches give a scale to the Lobby which can only be injured by the addition of statues of another scale and style. In the corridor outside there are pedestals already provided for the reception of eight statues, and I think that is the place where these statues ought to be placed. I quite concur in thinking that not only should Lord Russell's statue be removed from its present unsuitable position but that no new statue should be erected there. Then again, in regard to the three empty spaces above the doorways, I hope that steps will be taken to complete them with mosaics. This Central Hall is one of the most beautiful chambers in the whole world, and in this Jubilee year of Her Majesty I should certainly like to see it completed. One space has already been filled with a mosaic of St. George—the patron saint of England, and I believe the country would be glad to see the other spaces filled with mosaics of the patron saints of Scotland, Ireland, and Wales.

MR. CONYBEARE (Cornwall, Camborne): May I ask the First Commis-

sioner of Works whether it is really intended that Lord Iddesleigh's statue is to be erected opposite the Postal and Telegraph Office in the Central Hall, because if so it is perfectly obvious that it would be most inconveniently placed. It would not only be inconvenient to Members, but also to our constituents who have occasion to visit the Central Hall, and I shall most strenuously resist any such arrangement. I consider that the erection of any statue in that Hall to be a great mistake. I was much pleased to hear the hon. Member for Devonport (Mr. Puleston) express himself as he did with regard to the late Lord Iddesleigh, because certainly on this side of the House we are not behind hon. Members opposite in our affection and esteem for that great man. I say this with more pleasure, because I observe that the Solicitor General who represents Plymouth (Sir Edward Clarke) is not at this moment in his place, and we on this side of the House have a painful recollection of his conduct——

THE CHAIRMAN: Order, order! The hon. Member is entirely wandering from the Question before the Committee.

MR. CONYBEARE: I beg pardon; I was only endeavouring to express my concurrence in the view which had been expressed by the hon. Member for Devonport.

THE CHAIRMAN: The hon. Member was entering upon a matter entirely foreign to the Question raised by the Amendment.

MR. ISAACS (Newington, Walworth): I do not know whether it is the intention of my right hon. Friend to divide on this matter, but if he does I shall certainly go into the Lobby with him in order to enter a protest against another statue being put in so ridiculous a position as that which Lord Russell's statue now occupies. There can be no doubt whatever that the whole thing has been brought down to a complete farce, not only by the scale of the statue itself, but by the position it occupies. To place a small statue of this kind in a gigantic hall is both absurd and ridiculous, and its position is a caricature of that which such a statue should occupy. There can be no doubt whatever that the Central Hall was never meant to be a receptacle for statues of so small a size and placed upon such low pedestals. The statue of Lord Russell is out of place, and blocks up the doorway. If it is proposed to repeat the offence by similarly placing another statue, I shall certainly be induced to go into the Lobby with my right hon. Friend. I hope, however, that we shall be saved the trouble of a Division, by receiving the assurance of the First Commissioner of Works that no other statue will be placed in the Central Hall, and that the one of Lord John Russell, which is already there, will be removed.

MR. ARTHUR O'CONNOR (Donegal, E.): I support the Motion of the right hon. Gentleman for the reduction of this Vote, because I fully concur with the remarks which have been made with regard to the statue of Lord John Russell. I cannot understand what those persons were about who originally decided that the statue should be placed in the Central Hall, when all along the Thames Embankment there are pedestals ready for statutes to be placed upon them. That Embankment is one of the chief ornaments of this Metropolis, and I would suggest that the statues of Lord John Russell, Lord Iddesleigh, and all the rest of our modern statesmen should be placed there.

DR. TANNER (Cork Co., Mid): I certainly intend to follow the right hon. Gentleman opposite into the Lobby, and for this reason—his first proposition was a very sensible and proper one—namely, that if statues are to be put in any portion of this building, they ought to be placed in some suitable position that will not interfere with the public convenience. I am perfectly satisfied as to the grounds upon which the right hon. Gentleman has based his proposal, and I only wish to add one thing further, and that is, that the question has really been raised in consequence of the proposal to put up an additional statue to the late lamented Earl of Iddesleigh. I should therefore like it to be known that a considerable number of Members sitting below the Gangway on this side of the House, if they take part in the Division in support of the Amendment will not do so because they desire to cast the slightest slur upon the character of the eminent man to whom the statue is supposed to be dedicated, because on this side of the House the memory of that noble Lord is looked up to with special reverence, although he was not

always in favour of measures which were considered most desirable for our country. I certainly hope and would strongly recommend to the First Commissioner of Works that he should place the statue of Lord Iddesleigh in some convenient position where it may attract universal attention as being that of the first victim of Her Majesty's Government.

THE CHAIRMAN: Order, order!

SIR WILLIAM HARCOURT (Derby): I do not know whether this debate is to be considered another example of obstruction. All I desire to say is that I do not connive at it. It has not been originated on this side of the House, and it has been largely conducted on the other side as well as upon this. But having sat for a good many years on this side of the House, I may observe that of all the functions for which the House is eminently unfit, it is most unfit to act as a Committee of taste. Taste is a matter on which people universally and proverbially differ, and there is an old proverb that one ought never to dispute on a matter of taste. As nobody is likely to agree upon questions of taste, and if the question is to be decided by a Division I will put it to the Committee whether we have not now discussed it quite enough.

MR. CAVENDISH BENTINCK: I would ask the leave of the Committee to withdraw the Amendment. [*Cries of* "No!"] When I moved it formally I said that I only intended to raise a discussion, seeing that the question was practically one of taste. There was, however, one observation which fell from my right hon. Friend the First Commissioner of Works to which I desire to refer. I think he is entirely mistaken in supposing that Mr. Edward Barry agreed to the erection of Lord Russell's statue in the Central Hall. I believe if Mr. Edward Barry's name does appear in the list of the Committee which passed the Resolution it is an error. I remember very well on a previous occasion when it was proposed to remove the steps in front of St. Martin's Church, that Mr. Edward Barry's name was given as one of those who were in favour of the proposal, but it turned out to be entirely a mistake. I believe if the right hon. Gentleman will consult Lord Granville, or the right hon. Member for Mid Lothian (Mr. W. E. Gladstone), he will find that Mr Edward Barry took no part in the decision. I quite agree with the right hon. Member for Derby (Sir William Harcourt), that the House of Commons is not a good Committee of taste. But so long as the House of Commons has the control of the money to be expended I am very much surprised to hear the right hon. Gentleman, who professes to be a member of the so-called Liberal Party, contend that the House of Commons should vote all the money that was necessary, but have no control whatever over the expenditure of it. I wish now to withdraw the Amendment.

THE CHAIRMAN: Is it the pleasure of the Committee that the Amendment be withdrawn? [*Cries of* "No!"]

COLONEL NOLAN (Galway, N.): I would point out to the right hon. Gentleman and to the hon. Member for the Loughborough Division of Leicestershire (Mr. De Lisle) that it would be most unfair, after the convincing speeches they have made, to withdraw the Amendment. I was myself thoroughly convinced, by the remarks of the hon. Member for the Loughborough Division, that any person of taste would feel bound to object to the intrusion of statues of this kind in the Central Hall. I, therefore, cannot understand why the right hon. Member for Whitehaven should now seek to withdraw the Amendment.

MR. SHAW LEFEVRE (Bradford, Central): I hope the right hon. Gentleman will be allowed to withdraw the Amendment. I believe I am right in saying that there is no money included in this Vote for the purpose of erecting statues in the Central Hall, and the only effect of carrying the Amendment would be to reduce the money voted for some other purpose which is not intended to be touched by the Amendment of the right hon. Gentleman. I, therefore, hope that the Committee will be satisfied with the discussion which has taken place, and will allow the Amendment to be withdrawn.

Question put.

The Committee *divided*:—Ayes 87; Noes 160: Majority 73.—(Div. List, No. 283.)

Original Question again proposed.

DR. FARQUHARSON: A short time ago I was referring to the condi-

tion of some of the frescoes upstairs. I wish to know whether the attention of the right hon. Gentleman the First Commissioner of Works has been directed to them. They are at present in a very bad state, and are falling to pieces off the wall. I should also like to have some information as to the frescoes of Mr. Maclise in "another place." There appears to be a sort of dusty bloom forming on their surface which I fear may rapidly destroy them. There is a further question which I desire to call attention to under this Vote—namely, the sum of £5,000 for the drainage of the Houses of Parliament. I congratulate the right hon. Gentleman on the great success of his drainage operations. The effect of the improvements which have taken place, I am glad to say, has been very good. [*Cries of* "No!"] Some hon. Members say "No!" but I have a very good nose, and as I go about the House I sniff a good deal, having had some experience in regard to drainage works, and I believe that it is possible to keep them perfectly right if they are only carried out upon proper principles. I can safely affirm that a very great improvement has been effected. Therefore I desire, as a Member of the Committee which sat upon the subject, to express my obligations to the right hon. Gentleman for the courtesy and liberality with which he has accepted our suggestions.

MR. PLUNKET: I thank the hon. Gentleman for the agreeable comments he has made with regard to my Department, and, so far as the subject of the frescoes is concerned, I am obliged to him for calling my attention to them, and will assure him that I will give the matter my best consideration.

MR. PICTON (Leicester): Before this Vote is agreed to, I should like to call attention to Sub-head E., in which I notice there is an item for warming the Houses of Parliament. I do not observe, however, that there is anything for cooling this House, and I think, at this period of the year, that that is of much more importance than warming it. I should not have called attention to this matter, because I do not wish to appear here as an advocate of luxury; but I am told that there is a considerable amount of ice used in the lower chambers of this building. I must say that I think if that is so that the ice is wasted, and that from all we can gather from our experience here the money invested in ice might be saved. I am prepared to acknowledge that when we come here at 4 o'clock the House is fairly cool, as compared with the outside air; but we have not been here for more than two hours when this Chamber becomes disagreeably hot and oppressive. I think that the resources of science ought to be capable, in a building like this, of coping with the atmosphere even upon the hottest day. I am very much afraid that the heat which is characteristic of our debates in the later part of the evening is largely owing to the oppressive and heated nature of the atmosphere. If it is true that a considerable sum of money is expended in ice, I think that with the resources of science at the present day some better use might be made of it than we now experience.

MR. ISAACS: I am going to take the liberty of moving that the Vote be reduced by the sum of £500, in order that I may bring under the notice of the Committee a paragraph in the Report of the Committee of the House which sat last year to consider the subject of the ventilation of this building. It is the concluding portion of the recommendations of that Committee to which I wish to call attention, in which the Committee suggested that one single authority should be responsible for the sanitation of the building. At present the drainage is placed under one department, the heating and lighting under a second, the kitchen and cooking under a third, and the cleaning under a fourth. The Committee expressed a strong opinion that the whole of these departments should be placed under one central authority, and they say that that is the only means by which the sanitary condition of the Houses of Parliament will be properly secured, and an assurance given that the works undertaken for that purpose are at once adequately and properly carried out. It is only those who sat on the Committee last year who can form any idea of the state of chaos in which all the sanitary arrangements of this building are placed. The Committee felt it their duty to put on record their sense of the laches of the Board of Works and other Departments in reference to the existing state of things. Perhaps hon. Members will not be surprised when I tell them

that the Committee on the Drainage of the House felt it their duty to ask for the plan of the drainage of this building. It will be almost beyond belief when I say that it was admitted on the part of the authorities that no such plan was in existence, and that therefore there was some difficulty in finding out the source of the drainage here. I believe that the Committee have managed to supply the House with a most complete scheme of drainage, and one which has been admitted by all experts to be the best system which could be laid down. But when we come to the cooking and the other arrangements referred to in this Report, it does appear to be strange that we should be sent about from pillar to post in order to ascertain the authority which has charge of the several arrangements. I have no desire to ask the Committee to sanction any additional expenditure; but I would ask hon. Members whether some common-sense arrangement should not be come to in order to place the whole of the duties in connection with the departments I have referred to under the control of one competent authority? I have no desire to move a reduction of the Vote if the First Commissioner will give a promise to the Committee that the matter will be seriously considered, with a view of giving effect to that paragraph of the Report of the Committee. I think the Committee might rest content with such an assurance, and I would spare them the trouble of going into the Lobby. It is only because I regard the matter as one of very great importance in every sense of the word that I have ventured to trouble the House with these observations.

MR. PLUNKET: I am afraid that I cannot myself undertake to propose any better system than that which now exists; but I shall be glad to receive any suggestions on the subject of the arrangements of the House which the hon. Member may have to make.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): There is one observation which I have to make in reference to the remarks of the hon. Member for the Walworth Division of Newington (Mr. Isaacs). He included in those observations the kitchen arrangements of this House; and I must say, from recent experience, only an hour ago, that it took nearly an hour to obtain a bottle of soda-water. I hope that the right hon. Gentleman the First Commissioner of Works will take advantage of the Recess in order to devise some scheme for improving our arrangements.

THE CHAIRMAN: Order, order! The question of the kitchen arrangements is not under this Vote.

MR. CREMER (Shoreditch, Haggerston): I hope the hon. Member for the Walworth Division of Newington will press his Amendment to a Division.

MR. ISAACS: No; I do not intend to press it.

MR. CREMER: Then I beg to move that the Vote be reduced by the sum of £500. In the last Parliament in making some inquiry among the *employés* of this House, I accidentally discovered that they were placed on a very different footing from that of the high-class and well-paid officials employed here. I was so astonished at the revelations which were made to me that I scarcely credited them, and therefore I placed a Notice on the Paper and asked the Government if the statement was true that the work was contracted for, and that one penny per hour was stopped out of the wages of the men by the contractor? The answer given to me on that occasion was in the affirmative. I made every effort at the time to induce the Department to place the poorer classes of *employés* upon the same footing as the higher and well-paid officials; but I failed to obtain any redress, and, having so failed, I feel it my duty on the present occasion to move to reduce the Vote by a sum of £500 for the purpose of enabling me to ventilate the grievances of these men before the Committee. I fail to understand why a workman employed about this building who is supposed to get 27*s.* or 28*s.* a-week, and some of them not more, I believe, than 23*s.* or 24*s.* should not be employed directly by Her Majesty's Government; why they should be engaged by Messrs. Mowlem, Burt, and Freeman, and why the contractors should have the privilege of deducting 1*d.* per hour from the scanty wages now paid. The answer given to me last year was that the contractor was allowed to deduct the 1*d.* per hour from the wages of the *employés* on account of supplying certain plant and materials. I have inquired what the plant and materials consist of, and I find that they consist of a few dusters, some brushes, and

several pairs of steps, which could be supplied and would last for a long series of years at a cost of about £20. I fail to understand why the poorer class of the workmen employed about this building should be placed on any different footing from the—well, I will not say over-paid officials. I beg, in their names, to enter a protest against the treatment they receive, and for the sake of ventilating their grievances, and, if possible, of obtaining a redress of them, I will move to reduce the Vote by the sum of £500.

Motion made and Question proposed, "That a sum, not exceeding £37,135, be granted for the said Service."—(*Mr. Cremer.*)

MR. PLUNKET: I have no desire whatever to be discourteous to the hon. Member; but I can only say that it has been found by experience much more economical in regard to certain circumstances to employ contractors. That is the course pursued with regard to the persons referred to by the hon. Member. I must be allowed to add that it would be impossible to get through the Estimates if every item in each Vote is objected to and discussed in detail.

MR. CREMER: I have no wish to press the Motion to a Division, if the right hon. Gentleman, who I am sure is animated by a strong sense of justice, will promise to give the matter his consideration. The right hon. Gentleman says that the system tends to promote efficiency and economy. I fail to see that it does, or, if it does, why the same method is not pursued in regard to the entire class of well-paid officials on the establishment. I should be inclined to think that what is sauce for the goose is sauce for the gander. If the right hon. Gentleman promises to give the question his serious consideration, between now and the next time the Government may have the privilege of framing the Estimates, and if he will further consider the expediency of introducing a different system on the expiration of the contract of Messrs. Mowlem, Burt, and Freeman, I will not press the Amendment to a Division.

MR. PLUNKET: I can only say that I will give the subject the best attention I can.

MR. ISAACS: I have said that I should not go to a Division with regard to the Amendment I indicated my intention of moving. I have received, as I understand, an assurance that the matter will receive the attention of the Chief Commissioner of Works. I thank the right hon. Gentleman for his courtesy, and after that assurance I certainly shall not move any reduction of the Vote.

DR. TANNER (Cork Co., Mid): I have one or two remarks to make on this Vote. In the first place, there is a question which I wish to ask the right hon. Gentleman the Chief Commissioner of Works, which I have no doubt he will treat with the courtesy he always extends to suggestions made in this House.

THE CHAIRMAN: Order, order! There is an Amendment for the reduction of the Vote before the Committee. Does the hon. Member for the Haggerston Division of Shoreditch withdraw his Amendment?

MR. CREMER: The answer of the right hon. Gentleman to my question was not quite satisfactory, and I think that, under the circumstances, I ought to take a Division on the Amendment which I proposed.

Motion, by leave, *withdrawn.*

DR. TANNER: I naturally take a great interest in all matters connected with this House; because I come from the City of Cork, which produced the man who built it, Sir Charles Barry, and the man who decorated it, Daniel Maclise. On that account I feel rather proud, although, as I said, I am a Separatist. I had occasion last year to point out some defective ventilation in the House, which was remedied, and I have now to call the attention of the right hon. Gentleman to the subject of lighting. Anyone who takes up these Estimates will see that the House is lighted by electricity, gas, and oil. Now, a few weeks ago I made a request to the right hon. Gentleman with regard to the lighting of the Vote Office, which is a small office, and was at the time villainously ventilated. My remarks met with a due response from the right hon. Gentleman, and the ventilation improved, although I am bound to say insufficiently, and what I wish to point out is that the whole improvement which is necessary may be effected by lighting the office by electricity, and not by gas.

When I asked why that could not be effected, I was told that the engine which generates the electricity for lighting the House and the Lobbies was not large enough for the additional work that would have to be done if the Vote Office were lighted by electricity. On going into the question I find that with the larger engine that would be required, there would be but a small increased consumption of fuel, and that in the long run there would be less expense incurred; besides this, there would be a reduction of heat in the House, of the increase of which an hon. Gentleman has complained. It appears that when the subject of electric lighting came forward, owing to some opposition a small engine, which was only adequate to the present supply, was put up, and when I put the case to the right hon. Gentleman, he said that if there were only room, a greater portion of the House could be lighted with electricity. Since then, I understand that there is a chamber now vacant in which the larger engine could be placed, and it appears to me that by using that room they will be able to light the Vote Office, and at the same time effect a considerable saving of expense. Under the head of Supply of oil of the lamps in Committee Rooms, lobbies, porters' rooms, and residences, there is a charge of £1,080; whereas, if the plan which I advocate were adopted, the whole system of lighting can be carried out at the cost of £300. For these reasons I sincerely hope that this subject will receive the consideration which the right hon. Gentleman is always ready to give to representations made in this House.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I wish to make an appeal to the Committee. This Vote has now been under discussion for an hour and a-half, and I would point out that, if the same amount of time were expended on the different Votes in the Estimates, it would be impossible for the Government to carry out the pledges they have made with regard to Business, and I therefore trust that the House will come to an immediate decision on the question.

Original Question put, and *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

Resolution to be reported *To-morrow.*

Committee to sit again *To-morrow.*

EAST INDIA AND CHINA MAIL CONTRACT.—RESOLUTION.

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment to Question [7th June],

"That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved."

And which Amendment was,

To leave out the words "be approved," and add the words "be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons."—(*Mr. Provand.*)

Question again proposed, "That the words 'be approved' stand part of the Question."

Debate *resumed.*

MR. ESSLEMONT (Aberdeen, E.): Perhaps I may be allowed, at the outset of my remarks, to acknowledge the courtesy of the Leader of the House in giving us an opportunity of discussing this subject, which is one of very great importance, and involving a large amount of outlay, at a time when the matter can be brought under the consideration of a fuller House than we had when I took the liberty the other day of moving the adjournment of the debate. I have to point out to the House that the Motion which I rise to support is not a Motion against the contract which Her Majesty's Government have submitted. All that my hon. Friend the Member for the Blackfriars Division of Glasgow (Mr. Provand) asks is, that this subject should be referred to a Select Committee for more mature consideration. Now I think I can show a claim to the support of Her Majesty's Government for that Motion. I think it would save time if Her Majesty's Government would consent to the most reasonable proposal of my hon. Friend, that this subject should be referred to a Select Committee. It is one of those subjects which can only be dealt with by a Committee of this House, and I think

it would have been wise on the part of Her Majesty's Government if it had been submitted to the scrutiny of such a Committee before there had been any discussion at all upon it. I understand there are not many, but a few very substantial objections to this contract. The first objection is that which has been already urged with such force and ability by my hon. Friend—namely, the period of duration of the contract. Nothing has been said in reply to the argument that, having regard to the changes which might occur within the next 10 years, it would be very unwise on the part of Her Majesty's Government to commit the taxpayers of the country to an annual payment of £265,000. The second objection is, that the Company to whom it is intended to trust the carrying of these mails for the next 10 years, and to whom we are asked to give so large a sum every year, has not been carrying Her Majesty's mails at a speed equal to that of boats by which other mails have been transmitted. I do not wish to trouble the House with a long statement in detail; but if that statement is not accepted, I am prepared to show that letters coming from China in particular have taken two or three days, on an average, longer in delivery by the Peninsular and Oriental Company than they have by lines running to Germany and France; and I think it would be discreditable to the British Empire, with all its *prestige* in connection with the great commercial interests of the world, to say that we are going to enter into a contract at this time of day with a Company for our letters to be carried at a speed which has already been exceeded by the lines of other countries to the extent I have stated. Now, the third and last reason I shall give for supporting the Motion of my hon. Friend is that no valid argument whatever has been advanced against the Motion which he has submitted to the House. I have received to-day a Memorial, signed by some 60 or 80 influential firms in this City, chiefly, no doubt, interested in these mails, saying that the proposal of Her Majesty's Government ought to receive the support of the House. I consider this to be a very small modicum of support when compared with the objections which have been made by all the Chambers of Commerce in this country, who, I believe, including the Chamber of Commerce of this great City, are opposed to the proposal of Her Majesty's Government. The general opinion given throughout the country is that it would be unwise to make this contract before submitting it to a Select Committee empowered to call for papers and look thoroughly into the circumstances of the case. If this were a Motion to set aside the contract, I can understand the position of Her Majesty's Government; but as it is only a proposal to examine into the facts of the case, I think it is unintelligible that Her Majesty's Government should not be prepared to submit the question to a Select Committee. The subject is one which, in my opinion, ought not to be considered from a Party point of view; it is one to which all Parties should give impartial consideration. There is an enormous amount of argument which could be urged against this proposal, but which I will not now go into, because I believe it can be better done by others, and which argument would go to show that we should give no subsidy at all in this matter, but that we should adopt the course which offered the greatest facility at the lowest price. We have in connection with the Atlantic traffic adopted this plan with benefit to the community, and I believe that if no contract were entered into at all, we should in a short time have competition for carrying the mails between England and China which could be carried out with advantage, and without interfering with the great commercial interests of the nation. I have much pleasure in supporting the Motion of my hon. Friend, which I hope will receive due consideration at the hands of the Postmaster General (Mr. Raikes). I have always found that right hon. Gentleman ready to deal fairly with subjects relating to his Department, and I can assure him that in this case he will not be consulting the interests of the Government or the commercial community unless he submits to the proposal which is made to refer this question to a Select Committee.

Mr. J. M. MACLEAN (Oldham): The object of the hon. Member for East Aberdeen in moving the adjournment of the debate on this question was, as I understood him, to allow the light of public opinion to be brought to bear and to play freely upon this question. I hope the opponents of the contract have been

satisfied with the way in which public opinion has been expressed. No doubt, there have been Chambers of Commerce in the country which have supported the proposal to refer the matter to a Select Committee, and among them I am sorry to say is that of the borough which I have the honour to represent. Now, I always maintain that the electors of Oldham form the most enlightened constituency in the Kingdom, and the directors of its Chamber of Commerce are certainly not the least intelligent members of that constituency, and accordingly I am ready to defer to their opinion on matters which they understand. But on this particular question, I think I am able to form an independent judgment, and I do so on several grounds. One of them is, that probably I have made more voyages to India than any other Member of the House. I have also lived for a good many years in the city of Bombay, where the question of the improvement of the mail service to England is of more burning interest than even the advance of the Russians to the frontiers of India. I am glad to find that the opinion I have formed is fortified by that of the China and Indian Section of the London Chamber of Commerce. We were told that the London Chamber of Commerce wished this question to be postponed, and to be referred to a Select Committee; but we have now had the opinion of all those who are engaged in trade with India and China expressed in favour of the contract, and they have advanced arguments to show that if it were possible to break the China Service from the Indian and Australian Service, it would be a very dangerous step to take with regard to English commerce, and that by far the best arrangement would be to have a homogeneous service to India, China and Australia. I think it would be a serious mistake to make the China Service a purely separate service. The hon. Member for the Blackfriars Division of Glasgow (Mr. Provand) made an interesting speech, although it seemed to me a rather narrow-minded one. It was a speech made from the point of view of mercantile men in China, who seem to have some special commercial grievance against the Peninsular and Oriental Company; and I was surprised to hear my hon. Friend the Member for East Aberdeen (Mr. Esslemont) laying down the proposition that it would be possible for us, in regard to this question of mail contracts, to dispense with subsidies altogether. [Mr. ESSLEMONT: I understand at the end of two years it would be possible.] My hon. Friend did not state that at the time. But if a Select Committee were asked for to examine into the general principle on which subsidies were granted by Parliament, that would be a very interesting point to lay before the Committee, and one on which it would be possible to lay down some broad and general rules. But that is not what is proposed. The hon. Gentleman mentioned that the Transatlantic system is carried on without subsidies from the Post Office; but I think it would be found that what we have done with regard to that Service is not quite so satisfactory as the hon. Member supposes. It must have struck most of us with a feeling of surprise, when the question of mail contracts to America came under discussion six months ago, to find that, owing to the system of subsidies maintained by foreign Governments, while there are only four English steamers which make an average speed of 16 knots in their Transatlantic voyages, there are now no less than five German and three French vessels that are making that average speed. The meaning of that is, that foreign Governments give large subsidies, and for a very long period of time—in fact, perpetual subsidies—to their shipowners for these Services. The Messageries, the North German Lloyds', and the Austrian Lloyds', have no fear that their contracts will come before an Assembly which is jealous of economy, and they know that their subsidies will be renewed by their Governments, and they are, therefore, able to build the fastest ships on the Clyde, and with them carry on competition with British owners. These are questions which would be well worth consideration at the hands of a Committee; but, in the meanwhile, we have to do with the actual facts of the case. This contract for the Postal Service to be carried on with India, China, and Australia, rests on a different footing from that for carrying letters and newspapers to America, because it is not only mercantile men who are interested in it. The vessels of the Peninsular and Oriental Company have been called, by not too bold a figure of speech,

our bridge to India. There is the great Empire of India, at a distance of many thousands of miles, and beyond that, at a still greater distance, there are our Australian Colonies; and it is of the utmost importance that the great civil and military interests which we have at stake in India should have the assistance of a frequent, effective, and punctual system of postal communication. We ought to have vessels constantly voyaging between this country and Malta, Gibraltar, Egypt, Cyprus, Aden, and Bombay. We have civil and military servants constantly travelling to and fro in vast numbers in the service of the Empire; we have large bodies of troops which have to be conveyed, sometimes at short notice, between all these stations, and, therefore, it is of infinite consequence that we should have a large and powerful fleet of vessels at the disposal of the Government, which should be able to satisfy the various needs of the Indian Empire. The very correspondence carried on with India is, to a large extent, civil and military; it is not purely commercial, and I venture to say that if this Peninsular and Oriental Company did not exist, it would be necessary for the Government of the Empire to call such a service into existence, in order to provide the means of carrying on proper communication between the different parts of the Empire. Now, has this contract been objected to by any of the various interests concerned in it? The Government of England, as we know, approve of it—two successive Governments have, practically, approved of this contract. Then, it had to be submitted to the Government of India. Perhaps hon. Members are not aware that the Government of India contributes £68,000 a-year towards the support of this Postal Service. Now, the Government of India examined the whole thing fairly, went into the tenders, and finally came to the conclusion that the tender of the Peninsular and Oriental Company was one which ought to be accepted. Then, have the Chambers of Commerce of India objected to it? I have the honour of being a member of the Bombay Chamber of Commerce, I always get their annual report, and I know that the question of the Postal Service has been frequently considered by them, and that improvements have been suggested by them. It was in May of last year that the Government of India asked the Bombay Chamber of Commerce to report upon the contract, and to suggest what alterations they thought ought to be made. The Bombay Chamber of Commerce suggested at that time that the Service from England to Bombay, which is the main trunk line, should be conducted in a period of 15 days. Well, of course, it will be said that the present contract does not come up to that standard; but the reason is plain, it is only a question of money. If the Governments of the two countries had been willing to continue the old subsidy, or to pay the rate demanded for a higher speed, then, no doubt, they would have got the Service done to Bombay in 15 days. But they preferred economy, and I do not know myself that it was not a mistaken policy on their part. The right hon. Gentleman the Postmaster General (Mr. Raikes) naturally prides himself on having saved £107,000 a-year to the Exchequer by this new contract; but the question both of speed and of frequency of service is one entirely of money, and I would much rather have seen a larger subsidy paid for the seven years, which was originally proposed as an alternative scheme. I would even have had the amount of the old contract paid sooner than not have had the very best speed possible for the Mail Service to Bombay. But so far as regards the contract of the Peninsular and Oriental Company, I will say this, many remarks have been made by hon. Members about the wonderful steamers which run to Bombay, and do so many knots an hour more than the Peninsular and Oriental steamers. Now, I say, without fear of contradiction, that there are no steamers which run to Bombay in quicker time than the Peninsular and Oriental steamers, and a clear proof of that statement is that that Company still carry 75 per cent of the passenger traffic from Bombay to London, and that, out of the small proportion of passenger traffic they do not carry, the greater portion is taken by the subsidized foreign Companies which run steamers to Bombay. I maintain the Peninsular and Oriental Company was the only Company with which it was possible for the Government to conclude a good contract, and one good reason for doing that, which I

forgot to mention, may be added, and that is, that the Australian Governments themselves are in communication with the Peninsular and Oriental Company, and will, in all probability, conclude a contract with them, and so we shall have an efficient through communication established between England and Australia. I have dealt with the question whether the Peninsular and Oriental Company is one which the Government ought to have contracted with. I will add that the arrangement is a thoroughly business-like arrangement, and we know exactly with whom we are dealing. This Company has carried on the mail business for 40 years with unparalleled punctuality, and discharged it to the satisfaction of everyone interested in the trade in the East. Are you to dismiss a Company like that at a moment's notice for some outside speculator who does not choose to send in his tender in answer to a public advertisement? That would be setting a very bad precedent indeed. The hon. Member for the Blackfriars Division of Glasgow (Mr. Provand) is so anxious to make out a case against the Peninsular and Oriental Company that he has allowed his imagination to carry him away. He tells us of some land line, which is to be constructed by Russia, and which is to carry mails between England and Bombay in nine days. I wonder if he is aware that it takes from four to five days to send a letter from Bombay to the terminus at Quetta, and that, then, there are 700 miles between the terminus of our railway and the terminus of the Transcaspian Railway, built by Russia. The hon. Gentleman seems to think that these 700 miles could be covered in a moment. The other day I saw an estimate which showed that it would take two and a-half years to tunnel the range of hills between Quetta and Candahar. But, supposing all that done, supposing all these difficulties overcome, and that, after travelling 700 miles across Afghanistan, we proceed by the Transcaspian Railway to the eastern coast of the Caspian Sea. We have then to take the mails across that sea, and afterwards by the Tiflis Railway down to the Black Sea. Where are we to go next? Does the hon. Gentleman suggest that we should have a connection by balloon with the European railways? Anyone who examines the map will see perfectly clearly that apart altogether from the practical difficulties which make such a proposal utterly absurd, the physical difficulties alone of sending our Indian mails through Russian territory render the route pointed out impracticable. But grant there may be another land line, constructed from the Mediterranean to the frontier of India, which would be most efficient, and I think we are greatly wanting in enterprise when we allow Russia to possess an overland route through Asia when we, who pride ourselves on taking a commercial initiative, have waited 15 years, and have never carried out a Resolution of a Select Committee of the House of Commons in favour of giving a guarantee of the interest on the money sufficient to complete the Euphrates Valley Railway. I grant that that may form a formidable alternative line; but nobody imagines that it would take less than 10 years to get that line surveyed, and get the money voted by the British House of Commons for the construction of the line. Of course, we might trust Russia to do the work; but then if the Russians once get to the frontier of India, I do not suppose we shall need to discuss these matters, because we shall hardly need to send out any Indian mails at all. The line through the Mediterranean and down the Red Sea to Bombay is the only practicable line we have at present. People talk of alternative routes. There is no alternative route to India; and I take it as an axiom of Imperial politics that the European Power which controls the shortest line to India must be the Ruler of India. In case of war, it is said, we may have to give up the Mediterranean route; why, Sir, if we were to do so, it would soon be all over with the British Empire. We must use all the resources of the Empire to maintain our highway through the Mediteranean. What would become of us, supposing France and Russia were able to plant armies in Egypt and Syria, and we were to lose the command of the Mediterranean? It would take us 60 days to get our troops to India by the Cape or the Canadian Pacific route, at the end of which time there would possibly be no India left for us to defend. The line for us to maintain, and support by all possible means, is the line through the Mediterranean. It is on the ground of

the Imperial necessity for a Service of this kind that I venture to maintain that the contract which has been entered into by Her Majesty's Government should be supported by this House. I will only add one remark in reference to the proposal of the hon. Member (Mr. Provand). I think I may congratulate him on one thing, and that is that he has discovered the worst possible use to which a Select Committee of this House can be put. In this case the contract was publicly advertised; tenders were submitted to one Government; eventually they were submitted to another Government, and ultimately approved by that Government. What a state of things we shall be creating for ourselves if, after that examination of tenders sent in in answer to public advertisement, we are to refer the whole question to a Select Committee, because a private Member of this House chooses to get up in his place, pull a tender out of his pocket, and say—"Oh; I have got someone here to do the work for half the money." You can always find plenty of tenderers to offer to do work for half the money when they know the terms on which a tender has been accepted. But what a system of lobbying we shall soon come to in this House if such matters as these are to be referred to Select Committees, and if private Members are to be allowed to produce their tenders, and to call for books and papers, and examine everything that has been done by the successful tenderer. I hold that the appointment of Select Committees of this House has been carried to too great an extent already; we must trust in some things the Executive Government of this country. What is the Executive Government, after all, but a Select Committee of both Houses of Parliament? There are trained officers to examine into these matters; and if charges of corruption are made—they have been hinted at, but have not been made—if charges of jobbery can be established, let us examine into the conduct of the men at the head of the Departments charged; but do not let us take the mischievous and impracticable course of referring to a Select Committe a contract which has been already approved by the Executive Government.

MR. T. SUTHERLAND (Greenock): Mr. Speaker, I rise with some reluctance to speak in this debate. Holding, as I do, the position of Chairman of the Peninsular and Oriental Company, it must be inferred, and naturally inferred, that I am somewhat of a partial witness in this matter, and, for that reason, I should certainly have preferred altogether, and I did intend, to have kept silence, if this debate on the first night had observed the course which it might naturally have been expected to take. For, Sir, as far as I am acquainted with Parliamentary forms, I cannot but consider that this Motion is in reality a Motion of Censure upon Her Majesty's Government for having entered into a most unwise and most improvident contract; and if the discussion had been confined to that issue, I certainly should not have interfered, because I conceive that Her Majesty's Government are perfectly ready and perfectly able to defend themselves in this matter. But I call those who heard the first night's discussion to witness that some hon. Members, especially the hon. Member (Mr. Provand) who introduced this Motion, gave the Motion another meaning—a far wider intention than that of condemning the action of Her Majesty's Government—for the hon. Member called before the bar of public opinion the Peninsular and Oriental Company, and he pronounced upon their character and their public status a most sweeping, I may almost say a most violent, condemnation. The Peninsular and Oriental Company is a Company which I doubt not, like most other institutions, has many shortcomings; but I venture to say that it is a Company which has, at all events, served this country well for upwards of half-a-century. I, therefore, hope the House will allow me to answer the statements which were made by the hon. Member (Mr. Provand) in regard to the Company's reputation. I need scarcely say that in replying to these statements I do not intend, for a moment, to impute any unworthy motive to the hon. Member in making them; I am quite ready to believe that his motives are of the highest, character. But I fear I shall be compelled to dispute—and dispute very seriously—the exactness and trustworthiness of his knowledge on the subject, notwithstanding the great labour he has bestowed in the Library of the House upon the question of mail contracts. I fear also I shall have to dispute, and I think I shall do it

effectually, the representative character in which the hon. Member has come before this House. For it must be observed that the hon. Member, in his speech, told us that he came before the House not to represent his own opinions only, but to represent the opinions of those who were engaged in commercial transactions with the far East. The hon. Member for Oldham (Mr. Maclean) has already saved me some trouble in that respect; but I call the attention of the House to this one remarkable point—that within the last 48 hours, and within the last 48 hours only, we have been inundated with Petitions and representations on this subject from Chambers of Commerce throughout the United Kingdom, while, as a matter of fact, this contract was actually entered into between Her Majesty's Government and the Peninsular and Oriental Company so far back as the month of September in last year. It is assuredly somewhat strange, and suspicious that the Chambers of Commerce of the United Kingdom, and especially such an enlightened Chamber of Commerce as that which my hon. Friend from East Aberdeen (Mr. Esslemont) represents, should take so long a time to ascertain the iniquity of this contract.

MR. ESSLEMONT (Aberdeen, E.) My hon. Friend is entirely wrong. The Chamber of Commerce of Aberdeen did not send its representations within the last 48 hours; and the question has been under the consideration of the Chamber, to my knowledge, for the last six weeks.

MR. T. SUTHERLAND: I accept the correction of the hon. Gentleman; but, so far as the public generally is concerned, I am not aware that we have been made acquainted with any representation from any Chamber of Commerce until, at all events, within the last two or three days—I need not be particular as to the number of hours. But, Sir, who are the people whom this contract most affects? My hon. Friend the Member for Oldham (Mr. Maclean) has explained the feeling of the Chamber of Commerce and the people of Bombay in regard to this question. The intelligence that this contract was entered into in September last was flashed throughout the whole East, and it must seem strange to any impartial person that the hon. Member (Mr. Provand) in bringing forward the formidable indictment which he has made in his opening speech on this subject, was not able to point to a single comment in any newspaper of India, or China, or of Ceylon, or of Signapore, in which this contract was condemned. As a matter of absolute fact, the Press of India—of Bombay, Calcutta, Madras—and of Ceylon, and the Press of China and of the Straits Settlements have, with one accord, agreed that Her Majesty's Government in entering into this contract have made a most excellent bargain for the country, and they are sincerely glad that the postal interests, in which they have so great concern, have not been made the subject of any rash experiment by being placed in strange and inexperienced hands. So far with regard to this point; now I propose, as briefly as I possibly can, to deal with the statements of the hon. Member (Mr. Provand), which were intended by their condemnatory character to prejudice the minds of Members of this House in regard to this matter. The statements of the hon. Member took two distinct courses. In the first place, he represented the Peninsular and Oriental Company as a Company thoroughly inefficient in its Public Services, and is thoroughly deficient in all enterprise and development. In the second place, he represented the Peninsular and Oriental Company as exercising a malign influence on the trade of this country, by using its subsidies in order to grant favourable rates to foreign nations. The effect of the speech of the hon. Member was indeed, that in the very trade in which the Peninsular and Oriental Company are engaged, there are many more powerful Companies than they, ready, at a moment's notice, to come forward and take up this contract. And so marked was this effect, that an hon. Member sitting behind me, the hon. Member for Elgin and Nairn (Mr. Anderson), leant over to me, and asked, whether it was the case that there really were Companies trading to the East and elsewhere more capable than the Peninsular and Oriental Company to undertake this work. Now, it is in no spirit of boastfulness, it is in fact with considerable regret I enter upon a topic of this kind; but I think it due to the House that I should lay correct information before them in contradiction to the incorrect information which has been given by the hon. Mem-

ber. Now, the Peninsular and Oriental Company is not only the largest Company trading with the East, but it is the largest shipping Company in the whole world. The tonnage of the Company, at the present moment, consists of something a little over or a little under 200,000 tons, and the cost of that tonnage has been between £5,000,000 and £6,000,000 sterling. Now, Sir, the next largest Company in the world in point of tonnage and value of its fleet is the Messageries Maritimes of France, but the Messageries Maritimes of France falls in point of tonnage something like 40,000 tons below the total tonnage of the Peninsular and Oriental Company. If you come to English Companies, the Company which has the largest capital of all Steamship Companies in the country is the Cunard Company, and the total tonnage of the Cunard Company is only 89,000 and odd tons, or less than one half of the tonnage of the Peninsular and Oriental Company.

MR. PROVAND (Glasgow, Blackfriars): Perhaps I may be allowed to give my authority for what I said the other night. I got the little book which is published by the Peninsular and Oriental Company, and added up the tonnage given in that book. I also got the book of the British India Steam Navigation Company, and found on adding it up that that was the largest line in point of tonnage. I took the latest edition of these books, and, therefore, obtained the latest information possible for me to obtain. I think the hon. Member means to include vessels that have just been built, or are now building on the Clyde, for the Peninsular and Oriental Company.

MR. T. SUTHERLAND: The hon. Member's contradiction does not seem to me very much to the point. I am sorry to be obliged to go into detail in order to set him right. The British India Company's book is not the book of one Company, but the book of some half-dozen Companies, more or less, one being the British India Company, which has a capital of £600,000; another Company, the British Indian Association, which has a capital of I do not know exactly what; another Company, being the Queensland Company, which has another and a capital entirely different; but, no doubt, all managed under the same control. The united tonnage of these Companies is, no doubt, very great—about 160,000 tons; but, as regards the original cost of the tonnage, and the character of the tonnage, the united tonnage of these Companies would not, I think, speaking generally, come up to much more than one-half the value of the tonnage sailing under the flag of the Peninsular and Oriental Company.

MR. PROVAND: I beg to mention one fact. [*Cries of* "Order, order!"]

MR. T. SUTHERLAND: As a matter of fact, I do not require to pursue that comparison any further. The fact is as I have stated; but I may further add, as exhibiting, in a somewhat striking way, the point I have been treating, that the most admirable steam lines in the world, and which are under our notice constantly, and as constantly engaging the attention of the country, are the mail and passenger steamers which are running between New York and Liverpool. Now, I find that the total tonnage of the steamers employed by these Companies in this great trade —the Cunard, the White Star, the Inman, the National, the Guion, and the Anchor—amounts to 169,000 tons. With regard to this question, I venture to turn, for one moment, to an observation made by my hon. and gallant Friend the Member for Southampton (Admiral Commerell) in reference to the question of the Pacific Mail Service. My hon. and gallant Friend said that the question ought most certainly to be treated by Her Majesty's Government as an Imperial one. Now, Sir, I have no objection at all to the question being treated in that light; and I would furthermore say that if Her Majesty's Government decided upon instituting such a Mail Service, and if they were to deal with it in such an above-board and open manner as they have dealt with the India and China Mails, if they were to put it up to public competition, I think it is not improbable that they would obtain lower offers for the execution of that Service than they have obtained. But the point I seek to bring out is this —if you are going to treat the question of three or four steamers on the Pacific as an Imperial question in reference to the conveyance of mails, is not the existence of 50 steamers trading to all parts of the East an Imperial question? I venture to recall the facts

of one or two Services which the Peninsular and Oriental Company have rendered in the great crises of our history. They have been in the forefront of our wars and difficulties for the last half-century; but I will only mention two facts. In the Crimean War—it may perhaps astonish hon. Members to hear that this one Company carried upwards of 60,000 men and 15,000 horses; and it is a well know fact that, in the case of the Indian Mutiny, it was by taking advantage of the Services of this Company in putting down 4,000 or 5,000 men at Bombay within the shortest possible space of time, by what was called the overland route, that the Government were able to check the Mutiny in the Presidency of Bombay. Now, Sir, I go on to the next point on which the hon. Member (Mr. Provand) was so eloquent and which has perhaps had far greater influence on the House of Commons than the matters to which I have just referred. I speak of the question which he raised as to the practice, which he alleges is continual, of the Peninsular and Oriental Company affording preferential rates to foreigners to the prejudice of English shippers. We know that this is a favourite subject of discussion in regard to railways, and that, therefore, it is probably a subject upon which a considerable amount of sympathy has existed, and does exist in this House. While pointing out that railways stand in a very different category to steamers in this matter, I will, at the same time, deal with the statement made by the hon. Member—and as I intend to do so as quickly as possible to save the time of the House, I will read some extracts which I have here with regard to two of the matters to which the hon. Member refers. I may say, however, that I am quite prepared, if needs be, to go into every point of the indictment which he makes. The hon. Member stated, with regard to iron, that we give a substantial preference to Belgium shippers as against English shippers. This is our reply—

"We prefer to take English iron to Shanghai when it is to be had; but, frequently, it cannot be obtained even in sufficient quantities to ballast the ship."

But this is the important point I want to suggest, and which is a flat contradiction of the hon. Member's statement—

"We have then to fall back on Belgium, but charge shippers in Antwerp the same rate at least as we obtain in London, frequently 2*s.* 6*d.* more."

It must be patent to the House that we should very much prefer to carry English iron if we could obtain a sufficiency of the trade. We have to pay out of our Continental rates a part for the carriage between the Continent and London, and we are 5*s.* a-ton worse off in taking Continental than in taking London iron. If we could get a sufficiency of London iron, it would be against our interest to enter into the Continental trade. Then, as to the woollens, my answer to the hon. Member is as follows:—

"Continental woollens are not carried cheaper to China and Japan than British woollens are. Our through Continental rates are now 40*s.*, and 10 per cent., returning half primage, which makes a net rate of 42*s.* On Lancashire and Bradford goods we charge 42*s.* 6*d.* net, if over 12 cwt. to the 40 cubic feet, but only 27*s.* 6*d.* if under that weight, making the average rate considerably lower than that we charge from the Continent. These rates are not fixed by the Peninsular and Oriental Company, but by the Conference of China Steamship owners."

Then it goes on—

"No returns are made to Continental shippers except one half the primage. In London we return the whole primage, half on shipment, and half at the end of six months. In all his assertions about favouring foreign shippers, the hon. Member (Mr. Provand) entirely loses sight of the fact that we have foreign steamers to compete with, and it is only our care not to put foreigners by our steamers on better terms than English shippers, that causes us to lose so much Continental cargo. Our agents at Rotterdam and Antwerp are constantly pointing out that while the German and French lines are taking goods at 35*s.*, we are losing the traffic by holding out for 40*s.*"

Then the hon. Member went on to say that we were destroying the trade of Bedfordshire and Luton by carrying straw braid to Hamburg at a lower rate than we are bringing it to England. Well, perhaps the House will be surprised to learn that we have never carried any share of the Hamburg straw braid trade at all. I do not know from whom the hon. Member got his brief. Another charge made against the Peninsular and Oriental Company is, that it carries tea to New York at half the rate charged to London. To disprove the hon. Member's assertion I will read a telegram received six months ago from the Com-

p any's agent in Shanghai, and the reply which was given to that telegram. This telegram will, as effectually and more briefly than anything I could say myself, show the precise attitude of the Peninsular and Oriental Company upon this important question. The telegram received was—

"19th January, 1886. Can I engage the following cargo (mentioning a large quantity of cargo, and the name of an English firm of shippers) for New York at 30*s*. There is very little cargo offering for London."

At that time the rate to London was nominally, I think, about 50*s*. Now, this was a great temptation to our agent to fill his ship at the best rate he could possibly obtain—namely, at 30*s*.; but in January last he hesitated to do so without first receiving instructions from head-quarters. The telegram, which was sent out in reply on the same day, was this—

"19th January, 1886. We will not consent to carry cargo to New York or ports beyond London at less than current London rate."

Now, Sir, I think that that is a very effective answer to the misrepresentations of the hon. Gentleman the Member for the Blackfriars Division of Glasgow (Mr. Provand). Then the hon. Member was very anxious to show us that one of those numerous lines which he mentioned was ready at a moment's notice to take up this contract, and perform it far more effectively than the Peninsular and Oriental Company. He mentioned more especially one line, and a very excellent one—the Glen line—and he made a very broad statement regarding it—namely, that it would be ready to give not only a fortnightly, but a weekly service from Shanghai at a faster rate than the Peninsular and Oriental Company, and that it would also be ready to undertake the service at half the rate that would be paid to the Peninsular and Oriental Company. Well, Sir, I must say that I was very much astonished at hearing so definite a statement as that from the hon. Member; and I therefore applied, as one would naturally do under such circumstances, to the head of the Glen Company to know whether he had given the slightest justification to the hon. Member for making the statement in question, and the letter I received in reply from him, dated the 27th of this month, is to this effect—

"Dear Sir,—My attention has been called to the speech made by Mr. Provand in the House of Commons on the night of Thursday last, in which he states that the Glen line will undertake the Mail Service between Shanghai and London for half of the amount allowed your Company. We could not give a weekly service, and we never offered to Mr. Provand or any other person to perform the China Mail Service or any other Mail Service."

Now, I wish, in connection with this subject, to refer to the observations of the hon. Member for West Hull (Mr. Wilson), who came forward to support the hon. Gentleman (Mr. Provand) on the night of the opening of this discussion. My hon. Friend the Member for West Hull was, in the first place, extremely magnanimous in regard to the question, because he stated that on no consideration whatever would he have anything whatever to do with this mail contract, or with any other mail contract. My hon. Friend, at the same time, entertains such an opinion of the profitableness of this contract that he advised the Government at once to reduce the term from 10 years to five years. Now, Sir, I do not think that my hon. Friend, with all his magnanimity, is at all indifferent to a good thing; and I am quite sure, seeing that a mail contract carries with it a very considerable amount of *prestige* in the shipping world, I do not suppose that my hon. Friend would be any more indifferent to *prestige*, or any more indifferent to profit, or would dislike to cut a figure in the world any more than the rest of us. Therefore, I am afraid I must altogether destroy my hon. Friend's magnanimity by stating that I believe that his distaste for mail contracts arises from the fact that he knows he is much better off as a private shipowner than he would be if he were carrying out mail contracts. Hon. Members have merely to study the accounts of the Mail Companies—of the Companies engaged in these services—seeing the amount of dividend they are paying, or rather seeing the extent of the dividends they are not paying, and seeing the prices at which their shares have been in the market for the last two years, thoroughly to understand the real feelings of my hon. Friend. But, Sir, my hon. Friend also made a charge against the Peninsular and Oriental

Company, and a very definite and precise charge. He did not say they were in the habit of charging lower rates to foreigners; but he distinctly said that they were in the habit of using their subvention in order to crush out all private competition by reducing the rates for freight and passage money. ["Hear, hear!"] Very well, I will only say that we must take one testimony against another testimony in matters of this kind. I deny it absolutely for myself. But I would not expect the House to be at all satisfied with a denial from me on the subject; therefore, I am now going to read to the House a letter written to me by a gentleman whose knowledge of the trade connected with the East is at least equal to that of my hon. Friend—a gentleman whose name, I will venture to say, is good in the City of London—I refer to Mr. Westray, the Secretary to the Association of Steamship Owners. He says, in this letter, that his attention has been called to the speech of Mr. Charles Wilson, M.P., in the House of Commons on the East India and China Mail contract—a speech in which that hon. Member stated that the Peninsular and Oriental Company had used their position and the subsidy they received from the Government for carrying out the Eastern mail contracts to reduce the rates. This gentleman declares that the accusation is unfounded, and the Peninsular and Oriental Company have not only charged equal rates with other Companies, but have shown every desire to increase the rates upon goods of a valuable character. The letter concludes with these words—

"Far from abusing their position as a subsidised Company, they have invariably shown the greatest consideration for other lines."

That is a very striking contradiction of the statement made by the hon. Member for West Hull in support of the Motion of the hon. Member (Mr. Provand). I have only one other correction to make regarding the statements made on the first night of this discussion. It is a correction which is important, and which I am quite sure the hon. Member who made the mistake will be ready to acknowledge. The hon. and learned Member for Elgin and Nairn (Mr. Anderson) stated that the subvention asked by the Company for the line run between Hong Kong, Yokohama, and Vancouver was a rate of 3*s.* 6*d.* per mile against the amount paid to the Peninsular and Oriental Company. As a matter of fact, the sea service to Hong Kong being 306,436 miles at £100,000 amounts not to 3*s.* 6*d.*, but to 6*s.* 6*d.* per mile; while also, as a matter of fact, the sea service performed by the Peninsular and Oriental Company directly in connection with the Mail Service at £265,000 shows a mileage rate of 3*s.* 9*d.* There is no doubt whatever upon that subject. Then the mileage rate of the Messageries Maritimes route, on the same principle of comparison, shows a rate of 8*s.* 6*d.* per mile. Now, Sir, there is one point in connection with this contract which has been alluded to, and to which I think I ought to refer, and which, perhaps, I may be able to explain more fully than any other Member of this House may be able to do—I mean the matter of speed. It is frequently made a matter of complaint against the Peninsular and Oriental Company, and against Her Majesty's Government, that a much higher rate of speed has not been obtained under this contract, and comparisons are made by industrious writers of letters to the newspapers like my hon. Friend the Member for Canterbury (Mr. Henniker Heaton) between the speed attained under the present contract and the speed attained by a very few of the vessels on the Atlantic lines. Well, I will explain how it is that the speed has not been so great on the Indian Service as it is on the Atlantic—and I will explain it very briefly. There are several causes, but I will give the briefest and most complete. In the first place, it would seem natural that in looking at the question of speed hon. Members should compare like with like. I think a much fairer comparison of the speed of the East India Mail Service would be with the speed of the West India Mail Service under the contract passed by this House two years ago. Certainly there is a far closer analogy between these two, and, as a matter of fact, the performance of high speed on the East India route is a matter of much greater difficulty than that on a route such as the direct service from Liverpool to Barbadoes. In the West Indian Service, however, the speed is only 12

knots, while the speed to be attained by the Peninsular and Oriental Company, under much greater difficulties, on the Indian Line is 12½ knots an hour. The great reason why we have not been able to afford, and why no one else has been able to afford, to build vessels to go to India at such speed as is maintained by the Atlantic lines, is simply because the passenger traffic between this country and India is so ludicrously small as compared with the enormous traffic crossing the Atlantic. In every case it is the passenger traffic which pays for speed. In the Atlantic Service the passenger traffic may be told by hundreds of thousands; while, as a matter of fact, on the Bombay Line I shall surprise the House when I say that there are not carried more than 3,000 persons per annum each way, and of these the Peninsular and Oriental Company carry about 70 per cent. Whilst, then, there are not more than 3,000 passengers carried on this route each way per annum, I will undertake to say that this number of passengers is often carried by two or three Atlantic liners alone. That is the real explanation of the difference in speed on the Atlantic and Indian Services. But with regard to the China line, I wish to state that it was in the power of Her Majesty's Government to accept under their contract a higher rate of speed than that which they did accept. In their discretion they thought it right to accept a speed of 11¼ knots an hour, instead of 12 knots. The difference in cost was a matter of £20,000. So far as the Peninsular and Oriental Company was concerned, it was a matter of indifference which speed they gave, provided they were paid for it. Her Majesty's Government chose to adopt the cheaper service, and, in my opinion, not without reason, because Her Majesty's Government are aware that whatever speed they accept from the Peninsular and Oriental Company, the Peninsular and Oriental Company, in order to exist, must keep their service abreast of the progress of the age. I regret to be obliged to occupy the time of the House so long, but there are two other points upon which I wish to say a word or two, and the first is with regard to the tenders which we actually sent in for this contract. I wish to speak of that matter under two heads; first, as regards the question of time or period; and, secondly, as regards the question of money. Now, as to the question of time, two years ago the House of Commons accepted tenders and passed a contract in this House for the Mail Service to the West Indies at the speed which I have just mentioned —namely, 12 knots on the Main Line, and at a lower speed on the Intercolonial Lines, for a period of five years. But what reduction was made in the subsidy for that period of five years? The reduction which the Peninsular and Oriental Company are making in this case is, I venture to say, an enormous one — practically £100,000 out of £360,000, or nearly 33 per cent —but the West India Service being a short one, there was no reduction made; but, on the contrary, there having been a slight addition to the cost of the service—very slight, not so great as is made in the present contract of the Peninsular and Oriental Company in which you find this reduction — but there was an addition of 10 per cent made. If we were to deal with the subsidy to the Peninsular and Oriental Company on the same principle—if we were to deal with it on the basis of a five years' contract, we should have a contract not for £265,000, but a contract for £360,000 plus 10 per cent. ["Oh, oh!"] Hon. Members may express surprise, but I am quoting the facts as they occurred in connection with a contract passed through the House two years ago. I should explain how it came to pass that the Peninsular and Oriental Company tendered for a service of 10 years duration. There were two reasons for it. In the first place, their existing contract was for a period of eight years. In the next place, the contract they had held previously was for a period of 12 years, which had come about in a curious way. The tenders were made for a contract of six years, but the sum asked for by the Peninsular and Oriental Company was such that Her Majesty's Government hesitated to pay it. They issued a Commission to examine the accounts of the Committee, and the statements put forward by them and the result of the Report of that Commission was that in order to get the amount of the subsidy reduced, the period of the contract was

increased from six to 12 years. Now, Sir, these facts being in our minds, I may state exactly what the Company said in sending in their tender, as it will show that we made no effort whatever as it were to entrap Her Majesty's Government into making a bargain for 10 years. We put the matter on its broadest basis. We said—

"The tenders now referred to are for a contract of seven years duration, and the Directors being anxious to quoth the lowest figure at which the contract could be carried out, have not named any sums for the shorter periods of five and six years named in the forms of tender. The India and China contract at present in existence runs for a period of eight years. From 1878, when that contract was settled, down to the present time, the Company have spent altogether in new vessels, designed for the performance of the India, China and Australia Mail Services, the sum of £2,268,863: while, during the same period, the renewals, refitments and improvements of their older vessels (apart, of course, from standing and current repairs) have amounted to the sum of £467,755.

"This statement must carry with it the conviction that if Mail Services so important and extensive as those under consideration are to be thoroughly and conscientiously performed, they must demand on outlay of the capital which cannot be wisely contemplated under an agreement of shorter duration than seven years, unless the subsidy were to be made abnormally high. It must indeed be evident that such an undertaking involves very considerable financial risk, even with the advantage of a seven years term in its favour.

"On the other hand, the Directors are ready to submit that any reasonable expansion of the period of contract beyond those seven years would, by giving greater security for the capital embarked in its operation, enable the Company to carry out the service at a lower rate of remuneration. Acting, therefore, on this assumption the Directors desire me to state that they are willing in the event of a contract being made for 10 instead of seven years to reduce the payment to the extent of £25,000 per annum on the amount of any of the tenders now submitted for the consideration of the Postmaster General—that is to say, to the extent of £250,000 in 10 years."

Now, Sir, that is really the whole story. I apologize for detaining the House so long with the statement of the facts as they occurred. I hope the House will allow me to add this one word, that the risk that Her Majesty's Government have incurred in extending the contract from seven to 10 years is the risk that during the last three years, for some occult reason or other, the Peninsular and Oriental Company will utterly fail in keeping abreast of the progress of the time. A great deal has been made of the fact that in the course of 10 years the Company is to receive £2,650,000; but I should like the House to know how much the Company will have to spend in order to earn that £2,650,000? The Company will have to spend at least £20,000,000 sterling, and I should like to ask the House how it is possible to conceive, that in these days of competition, any Company can make £18,000,000, unless they keep abreast of the progress of the time. It is utterly impossible and ridiculous to suppose any such thing. In laying this plain statement of the facts before the House, I hope hon. Members will accredit me with feeling keenly the delicacy of my position. I have endeavoured to confine myself strictly to a bare and barren statement of facts. I trust I have not shown a desire especially to plead the cause of the Peninsular and Oriental Company, because I do not consider that in this case there is a cause that requires pleading. I consider that we made the best and cheapest offer to Her Majesty's Government, and Her Majesty's Government accepted it for that reason, and out of no favour to the Peninsular and Oriential Company.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds): I do not propose, Sir, to go over all the questions which have been dealt with by the hon. Gentleman who has just sat down. The charges which have been made against this Company have been heard, and I think the House will now be able to form its judgment on the question. I should like to say, with regard to the speech of the hon. Member for Oldham (Mr. J. M. Maclean), that I think the House is much indebted to him for having placed before us, with exceeding clearness, the facts of the case; and so far as the debate has gone, I am of opinion that it must have dissipated the objections which many Members of the House have to this contract. I know that a great many Members, on both sides of the House, have felt strongly that no steps should be taken in connection with this contract which would in any way interfere with the full and impartial consideration of the route which has been offered by Canada. I think, Sir, that that part of the question has been effectually disposed

of by the speech of the Chancellor of the Exchequer, and all I desire to do is to remind the House that even if the Canadian route were to be adopted as a fortnightly route, it would be supplemental to, and not in substitution of, the present route. At present there are two services to China — one week by the Peninsular and Oriental Company, the next by the French line; and therefore, whatever is done in respect of this contract can in no way prejudice the Canadian Pacific route. Now the hon. Member (Mr. Provand) who moved this Amendment has raised three objections. The first is, that the service is inadequate to the needs of the time. Now, it is a remarkable fact that the Government have not heard any word of complaint from any Member in support of this contention, except from the hon. Gentleman himself. I believe that merchants have found the present Service to be one which answers exactly all the requirements of trade at the present time; and, therefore, I think we may dispose of the objection on the ground of inadequacy. In the second place, the hon. Gentleman objects to the period of time for which the contract is made, and he objects also to the price or subsidy which is to be paid. I should like to take these two question together; because, so far as I can see, they are dependent on each other. The objection to the period of time is entirely an objection on the ground of cost; and, therefore, I think the Government is called upon to justify the acceptance of a period which is perhaps longer than Members of the House might at first sight be inclined to accept. I believe I can show that a 10 years' contract is from every point of view an adequate financial consideration, as compared with the acceptance of a seven years' contract. In 1868, the subsidy paid to this service was £450,000 a-year; in 1874, that subsidy was reduced to £430,000—a reduction of £20,000. In 1880, a fresh contract was made for eight years at a cost of £360,000, which showed a reduction of £70,000.

MR. PROVAND (Glasgow, Blackfriars): It is not the same service, Sir. The early contracts included a service from Southampton to Alexandria, besides the service between Marseilles and Alexandria, and from Hong Kong to Yokohama, and also from Ceylon to Australia.

MR. JACKSON: But the Government has, under this contract, precisely the right—and this is the point I wish to impress upon the House — supposing any difficulty arises with regard to the transmission of the mails, to ship them either at London or at any other convenient point, and therefore, in this respect, so far as the service performed by the Company is concerned, the Government are precisely in the same position of advantage as then. Now, in 1880, a contract was made for eight years at a cost of £360,000, showing a reduction of £70,000 a-year. At that time, we had offered to us a contract for seven years at £290,000 which would have shown again precisely the same reduction of £70,000 a-year from the existing price. If the House will consider for a moment the contract for 10 years at £265,000 a-year, they will find that it is exact equivalent of a contract for seven years at £290,000, and of a contract for three years at £205,000, and, therefore, as between the seven and the 10 years, the 10 years shows at the end of the period of seven years a further reduction of £85,000 a-year. I say that, judging by past experience, the Government were not only justified, but would have been severely to blame, if they had refused to discount the future when they could get such adequate compensation as in this case; and I say further, that the noble Lord the Member for South Paddington (Lord Randolph Churchill), then Chancellor of the Exchequer, would have required much stronger reasons than could be urged for dropping the solid substance of £25,000 a-year, which he saved to the taxpayers of the country, than by going in pursuit of the shadowy saving which might arise at the end of seven years. I believe the hon. Member objects to the Canadian Pacific route, and to a 10 years' contract being entered into; he also objects, apparently, to subsidies, because they produce an incidental advantage to the traders of the country in reducing rates and fares. I can understand the hon. Member for West Hull (Mr. C. H. Wilson), who is supported by Mr. Holt, wishing to make the Postmaster General a sort of trustee; but the Postmaster General has in no sense granted a subsidy

to a particular Company which should have the effect of reducing rates and fares. Sir, I do not think that this House, or the body of merchants and traders in this country will be disposed to quarrel with the incidental advantage which comes out of this arrangement. We had to consider the proposals before us, and on this point let me say that it would be an extremely improper and unsafe proceeding for the Government, in dealing with questions of this nature, to do so otherwise than by open and public competition and tender. I say you can introduce no worse system in our mode of Government than that the Executive should be empowered to enter into private negotiations in reference to matters of such public importance as this. The Government took the course which they believed to be right—not the Government of the day, but the Government who preceded them. I will not go through the whole history of this matter; but the House is well aware that the existing contract was made in 1880 for a period of eight years. In order that there might be no objection on the point of time—and I believe that for this suggestion we are indebted to the late Mr. Fawcett, the then Postmaster General—notice to terminate this contract on the 31st of January next was given in July, 1885. Tenders were invited in October, 1885; they were sent in in March, 1886, and therefore ample time was given to every shipowner in the country who desired to tender for the service, even although he had to provide the ships for the work. Those tenders were before the public for six months, and therefore no complaint can be made that insufficient time was allowed for the purpose of considering the tenders, or for the purpose of preparing for the service that had to be performed. At this time the Government wisely appointed a Committee of experts to consider the whole question, and to decide upon the specifications, of the tenders which were to be called for. That Committee consisted of a Representative of the Post Office, a Representative of the Colonial Office, a Representative of the India Office, and a Representative of the Treasury; the Committee went carefully into the whole question, guided by the light of their past experience; and they laid down as the fundamental starting point, that the tenders which were to be invited must, as regarded speed, regularity, frequency and punctuality, be not less satisfactory than those in the past. In their judgment, those requisites were more essential than even an increased number of mails. I think the House will agree that, so far as the number of mails are concerned, if they are multiplied so that they overlap, they become not only useless, but absolutely mischievous. Therefore, as far as the service is concerned, I believe that the present system is satisfactory. The Committee considered the question of various routes to China, including the possibility of sending the China Mails to Bombay, across from Bombay to Calcutta, and either from Calcutta or Madras to the Straits Settlements, Hong Kong, and Shanghai. The Committee came to the conclusion that the service could not be so satisfactorily performed, or at such small cost, as it could be in the ordinary way. They pointed out also that it might be desirable, for the purpose of getting full and free competition, to separate and divide the service into sections, so that it should not be said that a great and powerful Company had an advantage over one less powerful. The tenders were divided into sections, and so they were sent in. But the Committee pointed out the great advantage which the Government had found in the past from having to deal with one contractor only, with a full and ample supply of ships, so that in the case of a breakdown at a particular point the mischief could be remedied without delay. In answer to the invitation to send in tenders, the Government received practically only three. They received an offer from Mr. Holt, an offer from the Peninsular and Oriental Company, and an offer from the Canadian Pacific Company. After going through these tenders, and carefully considering them, they came to the conclusion that the tenders which would meet the requirements of the service were two in number, one by Mr. Holt, at a cost of £319,000, subject, if deduction were made for non-absolute penalties, to reduction to £297,000; and one by the Peninsular and Oriental Company for £300,000, reduced subsequently to £290,000. Now, Lord Wolverton, who at that time was Postmaster General, having given the most ample and complete consideration to this question, recommended the acceptance of the Penin-

sular and Oriental Company's tender, and he recommended that acceptance not for seven years, but for 10 years, at the reduced price at which they offered. It has been said that some different treatment was given to Mr. Holt from that given to the Peninsular and Oriental Company. I am able to say, so far as my knowledge of the proceedings go —and it became my personal duty most carefully to investigate them—there is absolutely no foundation whatever for that statement. One of Mr. Holt's tenders contemplated the provision of boats which he called despatch boats, and which were to carry no surgeon, no passengers, and no cargo. The tenders were sent to the Treasury in April, 1880. From the Treasury they were forwarded to the India and Colonial Offices; by them to India and the Colonies concerned, where, after much consideration, it was argeed—I will not trouble the House with the letters that came on this subject—but they agreed in the strongest recommendation advising the Government to accept the 10 years' tender at the price of £265,000. Now, I think it is only fair to say, so far as the Peninsular and Oriental Company are concerned, that their conduct of the business in the past has given the utmost satisfaction. They have been punctual; they have been regular; and I believe that, in every respect, it may be said that the service has been performed in a perfectly satisfactory manner. I have heard from an hon. Member sitting behind me that in the new contract it was supposed there were some speed premiums. Sir, that is a fallacy. There are no speed premiums; but there are penalties for delay; and so far as the speed of the service is concerned, I think we may rely, in the future, on the experience of the past, and I think that as the Peninsular and Oriental Company are, at this moment, as I may remind the House, performing the service in one day less than the contract time, so we may rely in the future that, as they must live not by the postal contract, but by their successful competition for trade, they will keep pace with the times. As to the question of a reference to a Select Committee, I think it must be obvious that, inasmuch as the Service has to be provided by the 1st of February next year, the Government cannot accept the responsibility, nor do I think the House or the country would tolerate the serious dislocation of so important a Service as that which the House is now considering. The tender which has been accepted by the Government is for £265,000 a-year. Reference has been made to the German and French contracts, and it may be desirable to remind the House that those contracts are for 15 years, at the sums of £220,000 and £384,000 respectively, and, therefore, so far as this tender compares with the price paid in the German and French Services, it is eminently satisfactory and economical. The hon. Member opposite has very truly said that the contract, before it becomes valid, needs technically the approval of the House. Sir, the tenders have been considered by one Government, they have been accepted by a succeeding Government; and although it is strictly true that before they become valid, they must have the approval of the House, I think the House will agree with me that the faith and credit of the Government are pledged to the contract to which they have given their seal. It must be remembered that the Government are, in this matter, only one of the parties to the contract. We are co-partners with India, the Straits Settlements, Ceylon, and Hong Kong in this matter, and we have no power to vary the contract without their consent. It must also be borne in mind that, in any variation we might make, if that variation should involve additional cost, it would have to be borne, not by the other parties to the contract, but it would fall entirely upon the British taxpayers. I have said that this question has been very carefully considered by two Governments, and at the desire of my noble Friend the Member for South Paddington, and at his request, I say that he accepts the full responsibility for his share in the contract, and that he personally, and with me, and subsequently the Cabinet, carefully considered the whole question, and the decision was that of the Government as a whole. Sir, I claim the approval of the House, on the ground that the contract will provide both an efficient and economical Service; and I would remind the House that the contract being for a fixed sum, will be for the period of years for which it is made, but that, as the mails increase in quantity, there will

be a diminishing payment for the whole of the time. There is in India a very strong feeling in favour of the contract. The hon. Member (Mr. Provand) has reminded the House that there has been a considerable number of telegrams received against the contract from Chambers of Commerce. I think that if the hon. Member would be candid, he could tell us how those telegrams have been obtained, and that, until he actively entered into the subject, the Government heard nothing of any discontent with the contract. As I have said, it is supported by all the contributories to the cost; there is not a single district over the enormous contributing area which has said one word against it. The conditions to-day are precisely the same as when this tender was accepted; and if the House were to go to the extreme course of rejecting it—because that is what the Motion means—it would be impossible to arrange for a Service so satisfactory and so efficient within the time which is at our disposal. The objection now raised, the arguments now urged against making the contract for 10 years—and to this I particularly ask the attention of the House—are precisely the same as those which were urged against making the contract for eight years. I should like to refer to what my noble Friend the Chancellor of the Duchy of Lancaster (Lord John Manners) said on a former occasion, because he puts much more clearly and concisely than I can the objection to referring this contract to a Select Committee. My noble Friend made these remarks, in answer to the proposal of the hon. Member for Liverpool—

> "The hon. Member for Liverpool, on the other hand, took a letter from his pocket, and intimated that the writer, a friend of his, was ready to undertake the work. Long as he had been in the House, he had never heard—and he hoped the hon. Member for Liverpool would excuse him for saying so—such an audacious proposal. . . . . If this contract were now cancelled, what contractor in the future could rely on the faith of Governments?"

I think, Sir, that this is a sound and conclusive argument against referring this contract to a Select Committee. I have endeavoured to show that the money compensation which the Government obtain is adequate to the extension of time, and I have endeavoured to show that the contract has been performed punctually and well by the persons to whom the Government now propose to give it, and for those reasons I confidently ask for the arrangement that has been made with the approval of this House.

MR. CHILDERS (Edinburgh, S.): I reluctantly intrude myself on the attention of the House at this time (12.45); but, as no one has spoken from this Bench, and as we have our full share of responsibility for the contract, I think it would be improper if the debate closed without my stating in a few words what was done by myself and others about this contract, and how we recommend the House to deal with it. I had the honour of being a Member of the Committee of, I think, 1867 or 1868 — I am not quite sure which — which originally examined the question of the Eastern contract, and it was presided over by Mr. Crawford. On the occasion of the renewal of the contract at that time, and also on the occasion of the renewal of the contract in 1879, it was very generally observed that a sufficient time had not been allowed to bring to the front if such a thing were possible, some Company which would compete with the Peninsular and Oriental Company which has held this contract now for nearly half-a-century. The result of that observation was that four years before the current contract was determined, that is, in 1884. I, as Chancellor of the Exchequer, and Mr. Fawcett, on the part of the Post Office, set on foot an inquiry by the different departments concerned, so that there should be as long a notice as possible before the new contract had to be concluded, and so that there could be no excuse that no time had been allowed for rivals to come into the field. That occurred in 1884. It was decided that a long notice should be given, and that the whole world should be in a position to compete for a better contract. That was the deliberate action taken by the late Government, taken under my authority when I was Chancellor of the Exchequer in 1884. That having been the case, the Government which succeeded ours in 1885, and again the Government of 1886, carried out precisely the policy which we had thus laid down, and at the proper time, and considerably before any similar notice was given on any previous occasion, all those concerned were aware that they would be called upon to tender, and

were aware of the general conditions of the tender. Now, Sir, what has happened? I wish the House most clearly to understand this; that there is practically no opposition to the contract which the Peninsular and Oriental Company, in spite of this long notice, except so far as Mr. Holt's tenders can be considered to be rival tenders. My right hon. Friend the Chancellor of the Exchequer (Mr. Goschen) put out of question altogether the other day the idea that a line from British Columbia to some point in China or Japan might be be looked upon as a rival line to this. He said that that was to be treated on its own bottom according to its own claims, and in no possible sense could be considered a rival to the great line to the East; therefore, you have nothing left in the completion but the offer of Mr. Holt. I have great respect for Mr. Holt, who is one of the most ingenious shipowners of the present day, and who has put forward a novel and ingenious plan. He proposes to run mail steamers, carrying no passengers, carrying no cargo, of very small dimensions, not, I think, exceeding 900 tons, running them through the monsoon and all through the year, for the whole cost of which, if this system were adopted in this case, the Government would have to pay. I submit that, in my opinion, this system is impracticable; that it will not be possible to have such a great service as this to the East with a large number of branch services; with vessels which practically will be simply Government vessels, which will have nothing to do but carry letters, and which will be, as it were, the servants of the Post Office, and which may just as well belong to the Post Office as to anyone else. If that be the case, we have before us practically only the tender of the Peninsular and Oriental Company, as to which I should like to say a few words. In the early part of the debate an idea was very generally put forward that there is some analogy between the Great Atlantic service and the service to the East. I venture to say there is no such analogy. Across the Atlantic you have five or six great Companies running at high speed, deriving their income in the main from cargo and passengers, especially from passengers, to a far greater extent than the Peninsular and Oriental Company ever hope to get, and to whom, therefore, what they receive from the mails is of much less importance, and who are certain to run their vessels at the highest speed they can reach in rivalry to each other. That is not the case to the East. There are two Companies practically competing with the Peninsular and Oriental Company; one is a highly subsidized French service for 15 years, the other is a highly subsidized German service for 15 years. Now, I doubt very much, if we may judge from the temper of this country when the discussion as to the Atlantic Mail Service took place a few months ago, when there was such an outcry against even sending some letters by that very admirable German service from Southampton, whether this country would submit to its mails being placed entirely at the disposal of a German or of a French service. I certainly am not less cosmopolitan than other Members of the House; but I should not care about entrusting our mails to a Russian service such as the overland service by the Black Sea and the Caspian, and then by the new road by which Russia is approaching India, and thence to Bombay by the future line which has also been described to-night. Perhaps commercial men have no particular objection to their ordinary commercial letters being sent to India, if the service is a good one, by such a service as that; but I think Parliament should hesitate, and more than hesitate, before they contemplate the entrusting of the whole mails to the East, a large proportion of which consists of public despatches and most important documents of public interest, entirely to a Russian land service. The only question which remains is this—there is practically only one sufficient and good proposal, and that is by the Peninsular and Oriental Company; and is the proposal of the Peninsular and Oriental Company to be refused because Her Majesty's Government have come, after great consideration, to the conclusion that 10 years' service is one which can now be properly agreed to. Is the tender of service too long? Do the conditions of that 10 years' service—the discount which the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) alluded to, a discount of £25,000 a-year for the 10 years' as compared with the seven years' service — constitute a fair business arrangement?

I say at once that I should have preferred seven to 10 years, and it is possible that the Government may at some time have been able to make such an arrangement. But the hon. Gentleman the Secretary to the Treasury told us that this matter had been considered both by the late Chancellor of the Exchequer the noble Lord the Member for South Paddington (Lord Randolph Churchill) and by the present Chancellor of the Exchequer, and also by the Cabinet—I think I am repeating his remarks correctly. We have, therefore, to deal with these authorities, and I am bound to say that, if my right hon. Friend the present Chancellor of the Exchequer and his Predecessor the noble Lord the Member for South Paddington, and the whole of the Cabinet are of opinion that the arrangement for 10 years is one which on business grounds is sound, I shall not dispute their decision, and I certainly could not agree to negative this contract on the ground that that extra term of three years, at which I confess I was at first surprised, had been granted; and I trust the House will not negative the present contract. One word more as to its reference to a Select Committee. Now, let the House consider well what that means. Why do these contracts come before Parliament at all in the present shape? An ordinary contract for a term of years appears in the Estimates—say a contract with a Railway Company for £100,000 a-year, and lasting several years; but the Postmaster General has only to defend it when the Estimates are voted. It is not necessary for him when he makes such a contract to come to Parliament for a special confirmation by Resolution. The regulation requiring contracts to come in this special way before Parliament only refers to steamship contracts; and why? Let the House remember that in the year 1859 there was a great scandal. That great scandal consisted in a particular steamship contract—I will not mention names—having been accepted; and an imputation—something more than an imputation—of political jobbery was mixed up in it; and it was because of that political jobbery that it was decided that in future every contract for steamship mail services extending over a series of years should be specially brought before Parliament and approved by Parliament. The object was to prevent jobbery; and in dealing with this contract, as with any other contract, we ought to keep in view what the object of the reference to the House is, and what would be the result if we had contracts of this kind, which might appear to hon. Members to be excessive or open to some objection, sent to a Select Committee, a Select Committee having power to examine papers and witnesses. That would produce the very jobbery which this plan was adopted to prevent. Probably very few would tender; everybody would say—"I will wait for a Committee; I will get some friend to come before the Committee, and at the last moment I will produce my tender." We should have what in America is called lobbying, to an extent which, I think, this House would greatly deplore; and, therefore, there being no suspicion of jobbery in this case, there being no suggestion that the Government have been influenced in any way by political considerations, I certainly hope that the proposal to refer this contract to a Select Committee will not be adopted. It is a very different matter, however, whether the general question of these great contracts on future occasions should be referred to a powerful Committee. I am myself disposed to think that a general Committee, not in relation to any one particular contract, but in relation to these ocean contracts generally, might well be appointed. A great deal has happened since 1867 and 1868, and I think it would be a good plan to let a powerful Select Committee deal next Session with the general question, but further than that I cannot go. With the reservation as to the duration of the contract, which, however, does not weigh with me sufficiently to induce me to say "No" to the proposal, I hope the House will approve of the contract.

MR. CALDWELL (Glasgow, St. Rollox): At this hour of the night (1 o'clock) I will not detain the House with many observations; but the House has just listened to four speeches on the one side, and I think it might reasonably be expected to listen to a few remarks on the other. As one of the Representatives of the City of Glasgow, whose Chamber of Commerce has petitioned in favour of the appointment of a Committee, I desire to point out to the House

that what is sought here is not any disapproval of the contract. There are three courses open to the House. The House may either approve of the contract, or it may disapprove of the contract; or it may adopt a third course—it may remit the matter to a Select Committee of the House for inquiry. Now, it seems to me that the question of remitting this contract to a Select Committee involves a matter of public policy far greater than has been brought out in this debate. No doubt, in ordinary executive matters the Executive have the responsibility and the power of completing contracts, and for their action they are responsible to Parliament. In such cases the Executive make contracts on their own responsibility; but the peculiarity of this class of contract is, that it cannot be made by the Executive Government upon their own responsibility. According to the Constitution of the country they are bound to submit a contract of this nature to Parliament, and upon Parliament rests the responsibility of sanctioning the contract. We, therefore, have a very important question before us. It is not merely a question whether we are to approve or disapprove of what the Government of the day have done, but a special duty—a special responsibility—is laid upon this House, and it is upon this House that the final responsibility will rest regarding the merits or demerits of this contract. Now, that being the question which is before us, I submit that this House is bound to exercise its own judgment upon this contract, irrespective of any opinion which the Government may have formed. It may be said, and it has been said, that the present Government are in accord with the previous Government as to this contract; but that, to my mind, is exactly one of the reasons for an independent investigation. Those who know anything about the Civil Service know this, that the permanent officials are really the parties who manage all these contracts, and that the heads of Departments are merely the tools in the hands of the permanent officials. When once a contract has received the sanction of the permanent officials, I do not care who the Chancellor of the Exchequer may be, or to what Government he may belong, he will form his views according to the views, facts, and statistics presented to him by the permanent officials. If we had had disagreement between the two Governments upon this question, I should have thought that the question had been thrashed out on its own merits; it is because there is unanimity that it is essential that Parliament should enter upon an independent investigation. It has been said that tenders were asked, and that different parties were allowed to tender. I grant that if we were to go into the question whether the Government did right or wrong in entering into the contract, we must necessarily take the state of matters as existing at the time the contract was entered into by the Government; but there is a difference between going into the question whether the Government were right or wrong in entering into this contract, and in going into the question whether Parliament ought to sanction this contract. When Parliament is asked to sanction a contract and bear the responsibility of doing so, it has a right to take up all the new matter which may have emerged since the provisional contract was entered into by the Government, and, therefore, if a *bonâ fide* case can be made out that since the Government entered into the contract new light has come upon the subject, I say that, in virtue of that new light, Parliament would not be doing its duty if it did not remit the matter to a Committee to investigate the whole subject in the light of the new matter. Now, what are the objections to going into this question in a Committee? Why, we all know perfectly well that if this matter be so very clear, the Committee will report in favour of the contract. What fear have the Government in remitting a matter of this kind to a Committee? They will have a majority upon it. Do they imagine for one moment that a Select Committee appointed by this House will ever do the Government of the day an injustice? It must be remembered that this is a contract of an exceptional character. It is a contract to give to the Peninsular and Oriental Company £265,000 a-year for 10 years, and it is a contract which admittedly different associations throughout the country, Chambers of Commerce, and the like, have largely petitioned against. It has been said there has been no feeling expressed in India adverse to this contract; but we have every reason to believe that the people of India, and

of Hong Kong, know no more about the new matter than the Government do, that the new matter which has been developed in the course of this debate was not present to the minds of the people of India when they approved of the contract. It is because that new matter was not present to the minds of these people that all the agreement on the subject counts for nothing. I main-main, therefore, as a matter of principle, that as this question has been remitted to Parliament, that as the responsibility rests upon Parliament, and upon Parliament alone, Parliament ought to rise to its duty. The country has devolved this duty upon it, and this is not a matter in which the Government is entitled to call upon their Followers to support them. It is not an ordinary matter of executive policy in regard to which the conduct of the Government is impugned. It is simply a question in which the Government of the day are bound to leave the matter to the free and impartial judgment of the House of Commons, and it is for the House of Commons to exercise its duty, to exercise its right of inquiring into this contract in the ordinary way, and that is through the means of a Select Committee, the only channel through which Parliament is able to thoroughly investigate the question, and to come to a judicial opinion upon it.

CAPTAIN COLOMB (Tower Hamlets, Bow, &c.): I shall not occupy the time of the House more than three minutes, and I would not have risen to occupy even so long as that if I did not think it was advisable to offer a few brief observations. I think that the bottom has been knocked out of the attack upon the Peninsular and Oriental Company, and I cannot help believing that the opposition to this contract arose from the confused statement of facts put forward in the Treasury Minute. There is one matter which I think is of great importance. It has been mentioned and repeated to-night that provision is made for the departure of the mails from London or any convenient port when the road to Brindisi is shut by war. But you certainly must consider that during the time this contract has to run there may be a very formidable war; and I want to know whether it is in the contract in any way provided that in case of a war which blocks the Suez Canal the Peninsular and Oriental Company's steamers shall be obliged to carry the mails by the Cape, and, if so, under what conditions? The other point which I think is of importance is this. You are virtually making a contract for 10 years relative to the main artery of your communication with the whole Eastern world; and I desire to call attention to this fact—that you have adopted the principle that it is necessary on the ocean to have several merchant steamers available for war service, and you have the conditions laid down in the Admiralty Minute. I think it is of great importance to remember that when this contract is approved, as approved I think it should be, you have not a single vessel of this great service which is capable of being used as an auxiliary war steamer. That is a very material point. Now, with regard to referring the matter to a Select Committee, I do not propose to go over the old ground; but it must be borne in mind that our Colonies and Possessions abroad are partners to the contract. If you mean in the future to bind them to you, is it the right way to go about it to try and upset the co-operative arrangement already made by means of a Select Committee on which they are not represented? I think such action would be monstrous.

MR. HENNIKER HEATON (Canterbury): Mr. Speaker, I shall follow the example set by my hon. and gallant Friend (Captain Colomb), and make my remarks as brief as possible; but I think I have a right to be heard on this question, even at this late hour (1.10 A.M.), owing to the active part I have taken in examining this contract. In the first place, it seems to me hon. Members have misunderstood the opposition offered from this side of the House. We have offered opposition to this contract because the tenders accepted differ entirely from the tenders called for. We have offered opposition because the tenders were for a certain number of years, and they were extended by three or four years. I think that that forms a very good reason why an inquiry should be made. The second objection we have to this contract is, that it provides for a route entirely different to the route contemplated when tenders were invited. What would be said if tenders for the conveyance of the Irish mails *vid* Scot-

land were asked for, and a tender *viâ* Holyhead accepted? Now, one more remark I am bound to make, and I am sure I shall not be accused of prejudice against the Peninsular and Oriental Company, because I almost invariably use that route, and I always shall, on my way to Australia. The point I wish to raise is, that large steamers have been built by the Peninsular and Oriental Company capable of steaming 16 and 17 knots an hour, and yet we are accepting a contract for the conveyance of mails to India at a speed of between 11 and 12½ knots an hour. A very strong reason why we say a Committee should be appointed is the admission made by the hon. Member for Greenock (Mr. T. Sutherland), when he said that if a higher price is given a greater rate of speed will be attained. I have one other objection to the contract, and I think hon. Members will see the force of it. They are aware, or anyone looking at the map will find, that India is on the way to Australia. You are about to accept a contract for the conveyance of the Australian mails. Are you going to pay the Peninsular and Oriental Company double rates considering Colombo is half the distance to Australia? Will you pay double for the same amount of work done? No business man would give two contracts in such a case as this. I think that is another very good reason why we should have further inquiry. The third point, I am sorry to say, I cannot raise to-night—that is the postal rate to India. Why should we continue to pay *5d.* for postage for a letter to India when the rates for France and Germany are only 2½*d.*? We have received no promise at all from Her Majesty's Government that the rates to India will be reduced so as to put us on the same platform as France and Germany. Here is a letter I received the other day, a letter sent to Singapore from New York, and it only bears a stamp of the value of 2½*d.*, whereas, if it had been sent from here, it would have borne stamps to the value of *5d.* These are matters which are not touched on in this contract. It seems to me, from the explanation which has been given to us, and from the support which the Government seem to receive from the Front Opposition Bench, that opposition on our part will be almost useless. Therefore, I wish to confine myself simply to making this protest.

MR. SINCLAIR (Falkirk, &c.): In the very able and clear speech of the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) there was what appeared to me to be a remarkable omission. The hon. Gentleman did not attempt to deal with the allegation which had been made to the effect that the contract entered into was different from that asked for by the form of the tenders which had been sent out, and upon which the replies were based.

MR. JACKSON: I did not enter into that, because I thought no Member of the House would have attached any importance to it. There is not the smallest foundation for the allegation.

MR. SINCLAIR: I am sorry if I so misunderstood the facts of the case; but I certainly was always under the impression that the contracts were asked for—that the tenders were invited and sent out, and replied to—on the basis of a seven years' contract. I understand now that the tenders were sent in on the basis of a seven years' contract, and yet it is for a 10 years' contract we are asked to vote this subsidy. ["Hear, hear!"] Well, then, I am correct in saying that the contracts which were invited were on a different basis to that which we are now asked to confirm. The hon. Gentleman read an extract from a speech delivered by the then Postmaster General the present Chancellor of the Duchy of Lancaster (Lord John Manners), and the point of that extract, it seemed to me, was that we should be extremely careful in determining contracts to look back at the tenders which had been invited. It seems to me that the extract the hon. Gentleman read to us entirely goes in favour of the Motion of the hon. Member (Mr. Provand). I think the majority of the speeches which have been made on this question have also gone to show that it would be a great advantage to refer the question of this contract to a Select Committee. I hope sincerely that as many of the allegations made by the hon. Member (Mr. Provand), and as many of the facts he has adduced—for instance, the statement he made with regard to freights, which was a distinct statement—have not been answered, the House will assent to the hon. Member's proposal. He stated that the freight in certain classes of iron of Eng-

lish manufacture were at a certain rate, say 25*s.*, whereas the freight charged by this Company on similar iron of foreign manufacture was equivalent to 4*s.* 6*d.* less. This and other allegations have not been answered. They were, in fact, confirmed in a certain sense by the hon. Member for Greenock, the Chairman of the Peninsular and Oriental Company (Mr. Sutherland.)

MR. T. SUTHERLAND: I rise to Order. I must distinctly contradict that statement. I contradicted the statement of the hon. Member (Mr. Provand) by saying that we had never taken Continental iron at a lower rate than we had taken English iron; and I said that, as we had to pay out of our Continental rate the freight between the Continent and London, we were 5*s.* a-ton worse off in taking Continental than in taking London freight, and that, therefore, if we could get a sufficiency of London freight it would be against our interest to take Continental freight. There could not be a more distinct contradiction of the hon. Member than that.

MR. SINCLAIR: I will not detain the House any longer in discussing this matter. I will simply again express my belief that in the course of this discussion it has been shown that the feeling of the country generally is in favour of the reference of this contract to a Committee.

MR. GILES (Southampton): The hon. Member for Greenock (Mr. T. Sutherland) has appealed feelingly to us to remember what small dividends have been paid lately by the Peninsular and Oriental Company and other Mail Companies. He rather appealed to me to support him. Well, I can only say, from an experience of 30 years of mail steamships, that the dividends which have been paid during the past few years in the very depressed state of the shipping trade, have been anything but satisfactory. Notwithstanding the large amount of the subsidy demanded by the Peninsular and Oriental Company, it is clear that as theirs was the lowest offer received, there is no room for complaint on the score of extravagance. When we remember that the rate is only 3*s.* 9*d.* per mile, I do not think that anyone can complain of its being an unfair subsidy. Bearing in mind that the Peninsular and Oriental Company received some years ago a subsidy of £480,000 a-year, I think that the £265,000 they are to get now is a fair reduction. We all know, however, that the expenses of steamers have been greatly reduced of late years, and we may well hope that the working expenses of these vessels may in the future be still further reduced, so that there may be some chance of the Company which carries the mails at such a subsidy as that I have mentioned recoup themselves for the expenses to which they are put. The question of speed was referred to; and I find that the contract speed of the Peninsular and Oriental Company's mail boats is 12½ knots an hour. If you take into consideration the delay in the Suez Canal, and the stoppage at Aden, you will find that the speed on the sea voyage is practically 13½ knots. Everybody knows that it is a very expensive thing to maintain an excessive speed; and I may inform the House that this one knot over 12½ knots, which those vessels make on the sea voyage, irrespective of the delays which I have referred to, will cost nearly 25 per cent for coal more than if the voyage were performed at 12½ knots, and as the cost of coal for a long sea voyage is about one-third of the whole expense of the voyage, I think the House will see that the Government get this one knot extra at a very small additional cost. I confess I came into the House very much averse to the 10 years' subsidy, seeing that the generality of tenders are limited to five, six, or seven years; but seeing that the Government have been tempted to give this 10 years' subsidy by reason of a reduction of £25,000 a-year, I think the Peninsular and Oriental Company have been wise in their generation in accepting it. I think myself that the Government would have done better if they had adopted a little higher rate of subsidy for a shorter period of contract; but after the arguments we have heard from the hon. Gentleman the Secretary to the Treasury (Mr. Jackson), I am quite disposed to vote for the 10 years' contract.

MR. SCHWANN (Manchester, N.): There have been considerable aspersions cast upon Chambers of Commerce, and on those who have wished that this contract should be referred to a Select Committee; but I think I need only assure the House that in the Manchester Chamber of Commerce there are Indian merchants who are capable of

taking care of their own interests. They think that the question of the postal arrangements between this country and India and China should be referred to a Select Committee, and I rise to add my voice to the voices of those who have spoken on this side of the House to that effect. The right hon. Gentleman the Postmaster General (Mr. Raikes), in speaking on this subject the other evening, seemed to admit that there had been no competition of any kind whatever. It certainly seems to me that business men would have taken care to see that some competition was raised, and would have written to Mr. Holt, asking him to adhere to the contract he sent in. It seems to me that the great diversity of opinion which has been expressed on all sides of the House only shows that this matter wants sifting by a Select Committee. There are many questions which a large number of hon. Members are not familiar with—questions as to rates of speed and the number of knots per hour at which vessels should steam—these are questions which require to be assessed by men who have a technical knowledge of them. I will not detain the house further, and will only say that if this Amendment is pressed to a Division, I shall vote with the hon. Member for the Blackfriars Division of Glasgow (Mr. Provand), who, it seems to me, deserves the good opinion of this House for having brought the Amendment forward.

Question put, and *agreed to*.

Main Question put, and *agreed to*.

Resolved, That the Contract, dated the 18th day of March, 1887, for the conveyance of the East India and China Mails be approved.

MERCHANDISE MARKS LAW CONSOLIDATION AND AMENDMENT (*re-committed*) BILL.—[Bill 304.]

(*Baron Henry De Worms, Mr. Attorney General, Mr. Stuart-Wortley.*)

COMMITTEE. [*Progress 1st July.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Offences as to trade marks and trade descriptions). [Act, ss. 2, 3.]

Mr. CHANCE (Kilkenny, S.): I observe that by this Bill it is made a penal offence to make any trade mark or any mark so nearly resembling a trade mark as to be calculated to deceive. Of course, that is perfectly proper; but under part of the 2nd section it is a criminal offence to make a die, block, or other instrument for the purpose of forging a trade mark. I would go on to make it criminal to manufacture these dies and blocks for the purpose of making any mark so nearly resembling a trade mark as to be calculated to deceive. I would move the insertion of these words in this clause.

Amendment proposed,

In page 1, line 11, after "marks" insert "or any mark so nearly resembling a trade mark as to be calculated to deceive."—(*Mr. Chance.*)

Question, "That those words be there inserted," put, and *agreed to*.

Question proposed, "That Clause 2 stand part of the Bill."

Mr. CHANCE (Kilkenny, S.): I have here another manuscript Amendment to this clause. It is at present an offence to make a die or block for the purpose of forging a trade mark or for the purpose of making a mark so nearly resembling a trade mark as to be calculated to deceive, and further down it is made an offence to sell or expose goods with such marks upon them. I would also make it an offence for a person to have in his possession any die, block, or instrument for the purpose of manufacturing these fraudulent marks. If it is an offence to make the things, it ought to be an offence to keep them for sale or for use in this fraudulent manner.

Amendment in the terms described put, and *agreed to*.

Mr. CHANCE (Kilkenny, S.): At the end of the 2nd clause the Committee will see that an offence for which a person is liable to be punished may be prosecuted under a summary conviction or by indictment. Well, I can conceive that some cases under this clause may be most important cases. Large manufacturing interests may be involved in the decision of the Court under this clause; and I, therefore, think it reasonable that a person charged with an offence of this character should be entitled to ask that his case should be taken before a Judge and jury. I will, therefore, move to add at the end of this clause—

"Provided that a person charged with an offence under this section shall, if he so desires, be tried on indictment."

Amendment proposed,

In page 2, line 18, at the end to add the words "Provided that a person charged with an offence under this section shall, if he so desires, be tried on indictment."—(*Mr. Chance.*)

Question proposed, "That those words be there added."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): My own feeling I must confess is in favour of some such Amendment as that proposed by the hon. Member. At the same time, it is desirable to point out what it means. The main object of this Bill is to simplify procedure. Under the Act of 1862 the provisions against fraudulent trade marks were not put in force in many cases, and it is likely that this measure will not be largely enforced. If, however, Members who know more about these matters than I do think that such cases as the hon. Member opposite speaks of are likely to arise in large numbers, it is worthy of consideration whether the option of being tried on indictment should not be given to an accused person, and whether discretion should not be given to the Judge in the matter. The Bill contemplates in Sub-section 2 proceeding by indictment. The proposal of the hon. Member is, I think, worthy of support, and I therefore give it my support.

MR. MUNDELLA (Sheffield, Brightside): Before the hon. and learned Attorney General accepts the Amendment, I should like to know how this will affect the whole working of the measure, because the most important feature of the measure is that prompt proceedings should be taken wherever it is found that goods are being sold under a false description or false trade marks. I want the hon. and learned Attorney General and the House to bear in mind that the counterpart of this Bill will be applied against us, or rather that the principle of the Bill will not only be accepted in our own Colonies, but in all countries that trade with us. Therefore, in passing a measure of this kind we must take care that we so draft it that it may be applied to all the world. We should make it of such a character that we can apply it not only at home, but in foreign countries, where the offences it is sought to put down are mostly committed. Foreign goods are produced bearing British marks, and are sold in British Colonies, even in this country, and in neutral markets. It is that that we have most to contend with. We want therefore that the operation of the measure shall be as prompt and as summary as possible.

SIR RICHARD WEBSTER: What the right hon. Gentleman the Member for Brightside (Mr. Mundella) has just said is really an argument in favour of the Amendment. There is nothing new in this proposal. At the present time, under the criminal practice of this country, the magistrates can deal with certain cases summarily at the option of the prisoner. Now, if it is intended that this should be a form of legislation that should prevail in other countries, you will be promoting this object by giving the prisoner the option of being tried summarily, or, if the case is an important one and he thinks it desirable, of being tried in a more formal way. It must be borne in mind that the prisoner may not have the same confidence in Courts of summary jurisdiction in foreign countries which he possesses in our own Magisterial Courts. The prosecutor will have the right to proceed summarily or to proceed by indictment, and, therefore, the chance of a speedy and prompt remedy will exist. The Amendment will only enable the prisoner to have the charge which is brought against him tried by a Judge and jury. I think the principle is important, and as I do not think the Amendment will interfere with the efficiency of the Bill, I have no hesitation in supporting it.

MR. CHANCE: I do not think the Amendment will prevent the Bill from working rapidly. On summary conviction a prisoner can be sent to prison for a period not exceeding four months; but, on indictment, he may be sent to prison with or without hard labour for a term of two years. Well, a person who feels himself in the least degree guilty would not be likely to avail himself of proceedings on indictment under which he incurs the risk of being sent to prison for two years. He would not be likely to desire to tempt a Judge and jury to give him the full penalty. I take it, however, that there are many serious cases which may arise, which after taking to the Petty Sessions

it would be thought advisable to take an appeal to the Quarter Sessions. I can conceive nothing more seriously open to objection than to leave the Petty Sessions to deal with all cases which may arise under a Bill of this description.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 3 (Meaning of trade mark, &c.).

MR. CLANCY (Dublin Co., N.): I wish to ask the hon. Gentleman the Secretary to the Board of Trade (Baron Henry De Worms) a question which may necessitate a further Amendment.

THE CHAIRMAN: Does the hon. Gentleman contemplate moving an Amendment to Clause 3?

MR. CLANCY: That will depend on the answer I get from the hon. Gentleman the Secretary to the Board of Trade.

THE CHAIRMAN: Where would the Amendment come in?

MR. CLANCY: In line 33.

THE CHAIRMAN: Then the hon. Member will ask his Question.

MR. CLANCY: The Question I wish to ask of the hon. Gentleman is one which he probably has already anticipated that I should put to him—it is with reference to Balbriggan. That was a subject which was discussed in the Select Committee, and I think the intention was to do what was possible to protect the Irish manufacturer from the grievances of which he has complained. As I take a close personal interest in this subject, being the representative of the district in which Balbriggan is situated, perhaps I may be allowed to make a few observations upon it. This very day in the town of Balbriggan a statutory meeting of the Town Board was held, at which a resolution was passed calling the attention of Parliament to this very serious matter. The industry of Balbriggan is declining, and has been declining for a good many years owing to what the Balbriggan people consider to be the unfair use of their name by other manufacturers—by manufacturers in other countries. The Balbriggan people would not ask this House to put a stop to this practice if they had not a strong, and what they consider a just cause for making the request. So far as I have been able to see, it appears to me that their cause is a very strong one. They assert that a superior kind of hose is manufactured in Balbriggan, and what they complain of, in the first place, is that an extensive trade is carried on in goods manufactured in England and elsewhere sold under the name and trade mark of those superior goods. They complain, in the second place, that inferior hosiery is named Balbriggan hosiery, and that real genuine Irish Balbriggan hosiery is thereby injured. We had singularly strong testimony in favour of our view in this matter before the Select Committee which sat upstairs, that testimony as to the injury done to Balbriggan being given by a witness altogether opposed to our side of the case. He said that there were thousands—millions, I think, he said—of Balbriggan hose manufactured in England. He said that there were more Balbriggan hose manufactured in a single day in England than were made in Balbriggan in the course of a year. It seems to me that that discloses a very serious condition of things. The English manufacturers contend that this term "Balbriggan hose" is a generic name like Brussels carpet, and that anyone who manufactures the same kind of article is entitled, and ought to be entitled to use that name. If that were so, I doubt very much whether a wrong would not have to be redressed all the same. I agree with the observation of one of the witnesses before the Select Committee—namely, that behind all these generic names there was originally a fraud. Why is the name of Balbriggan given to hose which is not manufactured at Balbriggan? Evidently because the name gives the hose a superior quality in the eyes of the public, and increases the profits of the manufacturers. Even if it were a generic name some reperation would be due to the town of Balbriggan, which has suffered so intensely by this use of its name. I am not sure whether it was or was not once a generic name; all I contend is that it is not a generic name now. It is not now the distinctive name of any sort of goods. It was some years ago when only unbleached cottons were used; but fashions have altered and colours have come in, and manufacturers of hose in England and Ireland now manufacture precisely the same sort of goods. One of the witnesses before the Committee, in answer to a question, put in reply the significant

question—"What is the difference between a Balbriggan stocking manufactured in Balbriggan and a Balbriggan stocking manufactured in Nottingham?" That question alone is sufficient to show that this is really not a generic name; but there is plenty of other evidence to establish the same contention. It is very curious that, in addition to the word Balbriggan, the figure of the Irish harp is put on the hose. It is evident that is intended to indicate the place of origin; it evidently implies that the goods were manufactured in Ireland. The use of the Irish harp could hardly mean any thing else. Again, some time ago, before a recent change in the law, it was allowable to import foreign hose and put "Balbriggan" on it before it reached England. That was stopped by Act of Parliament. You did not go far enough, because now after foreign hose has come in it is possible to stamp it with the word "Balbriggan." That this is done shows conclusively that Balbriggan is not a generic title, but a title denoting the original place of manufacture. What we want is to prevent anybody and everybody doing what the Germans and the French were prevented from doing, some years ago, by the Act of the Legislature to which I have referred. I do not think that is an unreasonable request. Plenty of evidence was given before the Select Committee to show that Balbriggan is not a generic name. The hostile witness to whom I have already referred distinctly admitted that the name of Balbriggan gave an increased value to the article. Consequently, the title which gives an increased value to an article cannot be a generic name. What we maintain is that a particular place, which gives a character or a name to the goods it produces, ought to be protected. I think this is a fair proposition. Take the case of Dundee marmalade. Scotch Members will understand what I mean by Dundee marmalade. It would be very wrong to put Dundee marmalade on marmalade manufactured in London. [An hon. MEMBER: It is done.] Well, the fact that it is done does not render the act any the less wrong. The fact that it is done, and has been done for a long time, only intensifies the wrong. Again, bonnets are made in Luton. The Luton bonnet trade is very well known, and I contend it would be perfectly monstrous to stamp a bonnet made in London with the name of Luton. Take the case of Sheffield cutlery. I have no doubt everyone regards Sheffield cutlery as cutlery made in Sheffield. Surely it would be outrageous to put upon London-made cutlery the words "Sheffield cutlery." I desire that that which would be wrong in the case of Scotch and English manufactures shall be prevented in the case of Irish manufactures. It is said that the name Balbriggan has been used for a long time by manufacturers of hose out of Ireland. What we contend is that the length of user only intensifies the injury from which we suffer. It seems to me similar to the plea which used to be made for the landlord who confiscated the improvements made by his tenant. The fact that he had exercised the right for a long time, made it, in the eyes of some people, a sacred right; but Parliament, in its wisdom, saw fit to deprive him of this right, though he and his predecessors had been in the enjoyment of it for centuries. Moreover, we complain that the name of Balbriggan has been applied to inferior stuff, and that this has tended to damage the reputation of real Balbriggan goods. What I want, then, to ask the hon. Gentleman the Secretary to the Board of Trade (Baron Henry De Worms), or the hon. and learned Attorney General (Sir Richard Webster), is, whether he has considered the legal effect of the 3rd clause, and, whether he is prepared to state to-night that it will prevent the name of Balbriggan being used by manufacturers other than those in the town of Balbriggan itself. As far as I am able to judge, it seems very doubtful indeed that it will. I confess my mind would be greatly altered on the subject if I heard a distinct declaration to that effect from the hon. and learned Attorney General, or from the hon. Gentleman the Secretary to the Board of Trade. Before I move any Amendment, I respectfully ask the hon. and learned Attorney General, or some other Member of the Government, to make a statement on the subject.

THE SECRETARY TO THE BOARD OF TRADE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The object of this Bill is to protect those manufacturers whose goods are ascribed to any particular place. Further than that it is dangerous to go. I am of opinion that

Sub-section (b) of Clause 3, which says —"As to the place or country in which any goods were made or produced," would safeguard the places so described. This question of the right to the word Balbriggan would be determined by Clause 4, which deals with any trade description lawfully used at the time of the passing of the Act. That will become a question of evidence when the case is tried. It is extremely difficult to insert, in an Act of Parliament, anything which would absolutely safeguard any names which may be generic names.

MR. PENROSE FITZGERALD (Cambridge): I rise to move an Amendment, which, I think, is all the more necessary after the explanation just given by the hon. Gentleman the Secretary to the Board of Trade (Baron Henry De Worms). The Amendment is, insert after the word "copyright," in line 38, the words—

"As to any goods being marked with the name of a place, town, or locality, thereby implying to the general public that the goods were manufactured at that place, town, or locality, such term not being a generic name."

These words will make it all the easier for the Court to determine whether or not, in the interest of Balbriggan, the name is or is not a generic name. It will not be necessary for me to trouble the Committee with any lengthened observations, because the hon. Gentleman the Member for Dublin County (Mr. Clancy) has made it pretty clear that the name of Balbriggan is used fraudulently. I submit to the Committee that if they pass my Amendment it will, probably, place the manufacturers of Balbriggan in a better position than they now occupy, and prevent fraud being continued on local manufacturers.

Amendment proposed,

In page 2, line 38, after the word "copyright," insert the words "as to any goods being marked with the name of a place, town, or locality, thereby implying to the general public that the goods were manufactured at that place, town, or locality, such term not being a generic name."—(*Mr. R. Penrose Fitzgerald.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I am afraid I cannot accept this Amendment. The subject is a very difficult one, and in my opinion the language of the Bill, which has been very carefully considered, goes as far as any general words ought. If the hon. Gentleman will look at Sub-section (b) he will find it provides that the expression "trade description" includes any description "as to the place or country in in which any goods were made or produced." Then, at the top of page 3, he will find the words—

"The expression 'false trade description' means a trade description which is false in a material respect as regards the goods to which it is applied."

Therefore, if it were stated that goods were made at a particular place, and that was a material part of the description, the statement would amount to a false description if the goods were not made at that place. And then, as the hon. Gentleman the Secretary to the Board of Trade (Baron Henry De Worms) pointed out, would come in the words "lawfully used at the passing of this Act." It is scarcely possible to recommend any alteration in this language.

MR. CHANCE: I fully agree with the hon. and learned Attorney General as to this. The words in Sub-section (b) are, so far as words in this clause can be, perfectly satisfactory. It is not on this clause that the trouble will arise, but on Clause 4, which is a kind of "as you was" clause. The question is, is the statement of the place or country which is put forward as the place or country of the manufacture of the goods true or false? That is a simple question, and one which can be easily answered; but if it is to be a question of what the general public believe, I am afraid you will be getting into an entirely new inquiry, and one which you cannot satisfactorily settle. The hon. Gentleman who moves the Amendment would limit the clause very much indeed. If you deal with this matter in this way, it will be quite another question that you will have to deal with when you come to Clause 4, which nullifies the benefit. I would advise him to withdraw the Amendment, which could not possibly do any practical good.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 4 (Exception of false trade description).

MR. CLANCY (Dublin Co., N.): This Clause 4 simply takes away all the

good that was in Clause 3. Clause 3 says one thing and Clause 4 says practically the reverse. Now, Sir, if Clause 4 is not omitted, it must be materially amended, and I have this remark to make upon this clause. This is not a clause that belonged to the Bill originally. I believe I am right in stating that the clause was not originally in the Bill, and from all I can gather it is a clause inserted by the opponents of Balbriggan, and by those people only. It is the result of all the questioning and all the answering which took place between the Government and those persons who took sides against Balbriggan. As I said before, it simply takes all the good out of Clause 3, and if the Government do not intend to withdraw the clause altogether, I would propose to add at the end of it these words—

"Provided that this clause shall not apply to a description calculated to mislead as to the place or country, being within the United Kingdom or any British possession, of the manufacture or production of any goods."

That would leave it quite open to any manufacturer to stamp goods with any generic title, but it would also tend in the direction of preventing people from using, as a generic name, a name that really represented the place of manufacture. It is in that view that I propose it. It carries out Clause 3, which the preceding part of Clause 4 essentially defeats.

Amendment proposed,

At the end of the Clause, to add the words—"Provided that this clause shall not apply to a description calculated to mislead as to the place or country, being within the United Kingdom or any British possession, of the manufacture or production of any goods."—(*Mr. Clancy.*)

Question proposed, "That those words be there added."

THE SECRETARY TO THE BOARD OF TRADE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): I am afraid that I cannot accept this Amendment of the hon. Member, who is in error in saying that these words are not in any other Bill. The words are in the Act of 1862.

MR. CLANCY: I said they were not in the original Merchandize Marks Bill.

Baron HENRY DE WORMS: That was an amending Bill. They could not be in that Bill, but they were in the Act of 1862. It is quite evident that the Amendment would affect what is known as generic terms. There are many such generic terms, such as "Brussels carpet," "Utrecht velvet," and so on. If you did not allow these generic terms you would suppress many trades, or render their working almost impossible. There is every desire to protect Balbriggan, and cases where names may be fraudulently used; but I would remind the hon. Member that such places are already sufficiently protected by the words "any trade description lawfully used." It will be for those persons who use the name Balbriggan to prove that that name is lawfully used, and that the name so used does not belong to someone else. It would be absolutely impossible to adopt this Amendment.

MR. CLANCY: It is quite clear that the hon. Member has not considered or even read the Amendment I have handed in. I do not object so much to the clause, as it stands, but I desire to add this Proviso to it. I do not wish to propose anything which will prevent the manufacture of anything anywhere in the Three Kingdoms which is known by a generic title and stamping it with that title. Under this clause, if my Amendment is inserted in it, any person will be able in any part of the Three Kingdoms to manufacture Utrecht velvet or Brussels carpet and call those articles by those names. This Proviso, however, which I suggest will go in the direction of rendering it impossible to use names which indicate places of origin only outside those places. I think that this Amendment is really a test of the *bonâ fides* of those who say that they desire to protect the Balbriggan industry. If the clause stands in its present form unamended, what will be easier than for a manufacturer who does not live in Balbriggan, and who does not carry on business there, but who makes what he calls Balbriggan goods, to say that the use of the word "Balbriggan" was not unlawful at the time of the passing of this Act. If it be possible for a manufacturer carrying on his business elsewhere than at Balbriggan to prove that it was not unlawful to use the word Balbriggan at the time of the passing of the Act, what, I would ask, becomes of the argument of the hon. Member? I submit that this Clause 4, without the Proviso I propose, will simply make nonsense of Clause 3. It is not unlawful at the present moment to use

the word Balbriggan—to stamp that word on hose manufactured anywhere in the United Kingdom. Therefore, after the passing of this Act it will be still possible for anyone to use the word Balbriggan. If you take Clause 3 by itself, it would appear as though the manufacturer would not be entitled to do it; but with Clause 4 he will be perfectly free. If the hon. Member does not accept the provision I propose, I shall feel it my duty to move the omission of the clause. I would rather, however, have the clause with the addition. The clause, with my Amendment, would protect a manufacturer anywhere in the manufacture of an article known under a generic title; but the clause, as it stands, would not protect the manufacturer of articles belonging specially to a certain district, or, rather, would not prevent the fraudulent use of a name which indicates merely a place of origin, like that of Balbriggan. I repeat, Sir, that this Proviso I now submit to the Committee is a test of the *bona fides* of those who say that they desire to protect the declining industries of Balbriggan. I desire to protect these declining industries, and that is why I bring forward this Amendment.

MR. MUNDELLA (Sheffield, Brightside): The hon. Member who has just sat down (Mr. Clancy) expresses the opinion that this clause is inserted for the express purpose of defeating the claims of the manufacturers of Balbriggan. I can assure the hon. Member that it was inserted with the very contrary object—namely, with the view of protecting everybody who had any claim before the passing, or who may have any claim after the passing of this Act, to prevent the name of a place of orign being wrongly used. I should be glad if it could be possible for a Representative of the Government to get up and say that the use of the word "Balbriggan" by outside manufacturers would be rendered illegal, excluding from that provision all other generic terms; but I can assure the hon. Member that a witness came before the Select Committee upstairs—a witness representing one of the most honourable, and I may say one of the most illustrious business houses this country ever produced—namely, the firm of J. & R. Morley, a firm against which, at any rate, during the whole of my lifetime, there has never been an imputation—a witness came from that firm and stated they sold more goods called Balbriggan in a single day manufactured in the Midland Counties than were made in Balbriggan in the course of a year. I can sympathize with the views of the Balbriggan manufacturers, when they see their industries declining, and when they see such large industries carried on elsewhere, and the popularity which is given to the name of their town. I can quite understand that a feeling of jealousy should exist there, and that discontent should prevail at the use of the name Balbriggan. But generic names grow up in many ways, and attach themselves to many classes of goods. Take the word "arras," for instance, as a description of tapestry. That is now a word incorporated in the English language, and describes every kind of tapestry that is made. I was looking only to-day through a trade list of 500 pages, and almost upon every page I saw a considerable number of generic names, and certainly if you started protecting all those names every honest tradesman in the country would be hit the day after the passing of the Act. I open the book at the name "carpet," and there find "Brussels," "Blenheim," "Kidderminster," "Wilton," "Axminster," and other descriptions. Why, Kidderminster now makes "Wilton," "Axminster," and "Brussels," carpets. Scotland makes most of the "Kidderminsters;" and "Blenheims" are made in other parts of the United Kingdom. Dutch carpets are made mostly in the North of Scotland. This is an example of what occurs in almost every branch of industry. If any hon. Member would open one of those voluminous books, the Civil Service lists, he would find on every page almost a generic name. Even in agriculture it is the same. Take Stilton cheese, for instance. It is now made all over the Midland Counties. The same thing occurs in the case of many other articles. I should be very glad if we could by this Bill put an end to false description; and I think we shall go a great way to do that. I have no doubt some men do desire to pass their goods off as goods of original manufacture. That cannot be said of Balbriggan; because I am bound to say that Balbriggan goods have been made on an enormous

scale for many years in Leicestershire and Nottinghamshire. These are districts in which Balbriggan goods were made certainly as far back as I can remember, and my recollection goes back nearly 50 years. If the hon. and learned Attorney General (Sir Richard Webster) can devise anything that will satisfy hon. Gentlemen from Ireland that they shall have most complete protection given them, I shall not oppose any such Amendment. At the same time, it does require great care that you do not deal in such a manner with the trade of the country as to obliterate names. Open the list at Irish linen, and the first thing you find is Brown Holland. Brown Holland, we all know, is linen cloth, originally made in Holland. It is now made in Belfast. French cambrics are all made in the North of Ireland.

MR. CHANCE: No; they are marked Belfast.

MR. MUNDELLA: No, no. French cambrics come almost exclusively from the North of Ireland. Nobody believes they are buying French linen when they buy French cambrics. They are buying an article which, no doubt, originated in Cambria, but which is now made quite as well in Ulster as in France. We must take care that in protecting an honest trader by putting an end to false descriptions, we do not injure the honest trader by preventing the use of generic names.

MR. CHANCE: The right hon. Gentleman (Mr. Mundella) has spoken under a complete misapprehension as to the Amendment which my hon. Friend (Mr. Clancy) proposed. The Amendment does not apply directly or indirectly to the question of generic names; and, therefore, all the right hon. Gentleman's observations with reference to generic names seem to me to be completely and utterly beside the object of the Amendment. In addition to that, I must remark that some of his examples were not happy. Stilton, as applied to cheese, and Kidderminster, as applied to carpets, and so on, are generic names. They are well understood to be generic names, and this clause does not interfere with the use of generic names. The right hon. Gentleman was quite delicate in dealing with the object of this clause, which is to prevent false trade descriptions. If he looks at the end of Clause 3, he will discover that—

"The expression 'false trade description' means a trade description which is false in a material respect as regards the goods to which it is applied."

He need not be in the slightest degree troubled as to generic names. No one is deceived by them. No one supposes, when he buys an Axminster carpet, that he buys a carpet which has been manufactured in Axminster. What is the object of Clause 4 as it now stands? This is a Bill to amend the Merchandize Marks Law. It was discovered that under the Act of 1862 serious frauds were perpetrated. When, for instance, the people of a certain locality in Ireland had, by hard work and the making of honest goods, obtained a reputation for their goods, some of our friends in England calmly walked in, printed the name of the place on their goods, and sold them as if they had come from the place. There was no necessity for giving a name such as Balbriggan to English goods, unless some advantage was gained by doing so. We must assume that by the use of the name the men using it obtained a pecuniary advantage. That fraud having existed, and the law having been ineffectual to punish the fraud, a Bill is introduced which, under Clause 3, would punish the fraud effectually. And then comes Clause 4, which makes us, as the old drill-sergeant says, "as you was." It legalizes the fraud which, up to the present, has escaped punishment by reason of the inefficiency of the law. Clause 4 absolutely gives the fraud legislative sanction, and says to these dishonest manufacturers—"Bless you, my children; blast the reputation of these poor Irish workers; and if the law was ineffectual to punish you before, why we will give you absolute protection and immunity now." It is not proposed that the section should apply to generic names. No such proposal has been made; but it is proposed that this immunity shall not apply to a description as to a place or country—a distinct description indicating forcibly the place or country in which the goods were produced. In the face of that fact, I cannot see how the observations of the right hon. Gentleman (Mr. Mundella) as to generic names can apply to the proposed Amendment. The case is a simple one. A fraud has been perpetrated by wealthy English manufacturers—Liberals and Conservatives alike—the

law has been ineffectual to punish those guilty of this wretched fraud; and now the House of Commons is asked to give its legislative sanction to that fraud. I hope the House of Commons will do no such thing, but that it will say this fraud shall not continue.

MR. DE LISLE (Leicestershire, Mid): As there is a great deal of interest felt on this question in my constituency, I should like to ask the hon. and learned Attorney General (Sir Richard Webster) whether, in his opinion, it is now legal or illegal to print on stockings made in Leicestershire or Nottinghamshire, Balbriggan? When I buy goods marked Balbriggan, I naturally suppose they come from Balbriggan. I should like to know what is the law upon the question.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I have the greatest sympathy with those whose case has been represented to us by the hon. Gentleman the Member for Dublin County (Mr. Clancy). I cannot help feeling that where a particular mode of manufacture has sprung up in some place and the name of the place has been attached to it, the use of the name in other places deprives the name of the value it otherwise would have. But it is really too late in the day to deal with this matter by any particular case. Many cases of this kind can be cited. Take the case of Bradford goods. The name of Bradford is frequently given to goods made in places far away from that place—goods made in Norwich and other places are often called Bradford goods. My answer to the hon. Member for Mid Leicestershire (Mr. De Lisle) is this. It is simply a question of fact. These matters can only be dealt with according to the facts. The question is, whether or not a false description is used to indicate that the goods are of some particular class or description of manufacture. No one can say, without having the facts before them, whether or not the name has acquired in the trade a description of the class of goods or mode of manufacture. If I could have framed words to meet the views of hon. Gentlemen, I should have been glad. I am not at all sure that when the Bill comes to be worked it will not be found to be too stringent. At any rate, I think we should only defeat the object of the Bill if we attempted to deal with the special case which has been mentioned. There is the case of Whitworth screws. No one imagines that these screws are made by Whitworth. They are now understood to be screws of a certain size. I could mention many similar instances; therefore, this Committee cannot deal with these matters, however hardly some people may be hit. I do not think it is possible to frame any words which will enable you to pick out particular instances for protection. I cannot help thinking that the effect of adopting the Amendment of the hon. Gentleman (Mr. Clancy) would be otherwise than to hit certain innocent people who ought not to be made the victims of the Criminal Law. As far as I am concerned, the language of the Bill must stay where it is, as I am unable to frame any words which would protect small industries of the kind referred to without, at the same time, doing a great deal of injury.

MR. CLANCY: I must object to the interpretation put on my Amendment by the hon. and learned Attorney General (Sir Richard Webster). My Amendment would not merely protect Balbriggan, but all industries situated like Balbriggan. I perfectly agree with the hon. and learned Gentleman that this must be a question of fact, and my Amendment, if carried with the addition I propose to make, will not alter the character of the Bill in this respect. I observe that not only will the Government not agree to the provision proposed to be added, but they do not seem to understand it. I suppose that arises from the fact that my Amendment has not been on the Paper. I propose to give them an opportunity of seeing it on the Paper. I beg to move, Sir, that you do now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Clancy.*)

BARON HENRY DE WORMS: I hope the hon. Member will not press his Amendment upon the Committee. This Bill has been considered most carefully by a Committee composed of Members representing all shades of opinion in the House, and there is no sort of Party bias or feeling in connection with the matter. We had one all important duty to perform—namely, to protect the whole industries of the

United Kingdom against fraud. We have done that to the best of our ability, and I must say I do not think the hon. Member will be doing a service to Balbriggan or any other place by pressing this Motion.

MR. CLANCY: I do not propose to withdraw my Amendment, and I will not allow the hon. Gentleman to run away with the insinuation that I am obstructing the progress of this Bill. I am simply fighting for an industry that is now declining, and that ought to enlist the sympathies of all hon. Members present. [*Cries of* "Hear, hear!"] Hon. Members cheer that statement. They profess to have sympathy for this declining industry, but I think I should have some practical evidence of that sympathy. The hon. Gentleman opposite said fairly enough that there is no question of politics in this matter. I agree with him. I have not made it a political question, and in proof of that I may point out that the gentleman who owns the principal factory in Balbriggan is a most determined and bitter opponent of my own. That fact, however, makes no difference to me. What I look to is the good of the whole of my constituents, irrespective of politics. The observations of the hon. Gentleman the Secretary to the Board of Trade would seem to imply that I am acting upon some political bias, but that is wholly ridiculous and absurd. I must, Sir, press my Motion for reporting Progress.

MR. BIGGAR (Cavan, W.): We all know very well that it is impossible to pass an Amendment of this kind with critical examination of its merits, and with clear understanding of what its effects will be upon other parts of the text, at this hour of the morning. It is now half-past 2 o'clock, and I think it only reasonable that an adjournment should take place for one day. I have not consulted my hon. Friend upon the point, but no doubt if an adjournment is granted he will in the meantime put a Notice upon the Paper stating what his Amendment is, and between now and to-morrow night the Government would have an opportunity of extending that Amendment and saying whether they cannot propose words or suggest some Amendment which would apply to the case of Balbriggan and others of the same kind. Under the circumstances, I think the Government should not stand in the way of reporting Progress.

MR. MUNDELLA: I certainly think it would be as well to allow Progress to be reported, and to allow the Amendment to appear upon the Paper. If in the meantime the hon. and learned Gentleman the Attorney General can find it in his power to make any proposal which would be to the advantage of this particular industry, I am sure he would be the last in the world to refrain from taking such action.

MR. ILLINGWORTH (Bradford, W.): I was under some little alarm when I heard my right hon. Friend below me (Mr. Mundella), under the plea of sympathy with Balbriggan, propose to revise the structure of this Bill.

MR. MUNDELLA: No, no.

MR. ILLINGWORTH: But he made an appeal to the hon. and learned Gentleman the Attorney General, and asked him whether he could not see his way to do something by way of modification of this clause to meet the difficulty which has arisen in connection with Balbriggan. I believe we all of us are inclined to do justice in this case of Balbriggan—and not only in this case, but in all other parts of the United Kingdom—but I am bound to say that if we go to a Division upon this matter, I shall be bound to vote against the hon. Member. I do not think that we should do any Irish industry any service at all if we voted for this Amendment. I maintain that if we water down this clause we shall simply make it a monument of folly, and that our action will only have the effect of producing an enormous crop of litigation. I believe that by the proposed modification of Clause 4 you would hit a blow at the Belfast and other industries of Ireland which would be far greater in extent than any good you could do to Balbriggan.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's): I understand that this point is really the only important point remaining to be disposed of. If we can get rid of this there is nothing to prevent the Bill going through to-night. It seems to me altogether useless to adjourn the further consideration of the measure, seeing that the point upon which delay would take place is one upon which the Government

feel it to be altogether impossible to give way.

MR. CLANCY: I would ask the hon. and learned Gentleman the Attorney General if he could accept the Amendment in this form—"Provided this section shall not apply to a description not being a generic title" and so on?

SIR RICHARD WEBSTER: I would point out to the hon. Member that that is already in the Bill as it stands. May I again point out that it is an offence in any trade description to make a false representation as to the place or country where the goods are produced. Hon. Members who have read this Bill must have seen that it is an offence against Sections 2 and 3 to make a statement false in any material respect as to the production of goods, and that Section 4 provides for trade descriptions which are used to indicate that the goods are of a particular class of manufacture only. That I understand to be a proper explanation of a generic name, and I cannot accept any other language.

MR. T. W. RUSSELL (Tyrone, S.): Would it not be possible for the Government to postpone this clause and to go on with the rest of the Bill? They must look forward to considerable opposition on this matter. We are not asking for the protection of Irish industries in the ordinary sense, but we are asking for protection for a certain class of Irish manufacturers against absolute fraud.

MR. DE LISLE: I would wish to endeavour to persuade the hon. Member to withdraw his Motion. I would point out to him that under the terms of this Bill it will be quite competent for the Balbriggan manufacturers to select a new trade mark which will distinguish real Balbriggan goods from goods known as Balbriggan.

MR. HENRY H. FOWLER (Wolverhampton, E.): I hope at this hour of the morning we shall not be put to the trouble of dividing. The Government should remember that this is the first day on the Bill, and I would put it to them that surely it is not unreasonable that the Irish Members should have an opportunity of putting their Amendment into print so that we may go on with it to-morrow.

MR. CHANCE: I believe this is the only contentious clause in the Bill, and there is nothing to prevent us from disposing of it to-morrow. Let us postpone this clause, and we can go through all the others in five minutes.

BARON HENRY DE WORMS: Agreed, agreed.

THE CHAIRMAN: Does the hon. Member withdraw his Motion?

MR. CLANCY: Yes.

Motion, by leave, *withdrawn.*

Amendment, by leave, *withdrawn.*

Question, "That the Clause be postponed," put, and *agreed to.*

Clauses 5 to 23, inclusive, *agreed to.*

MR. CLANCY: When do the Government propose to take the Bill again?

MR. JACKSON: On Thursday.

Committee report Progress; to sit again upon *Thursday.*

PUBLIC LIBRARIES ACTS AMENDMENT (No. 2) BILL.—[BILL 220.]

(*Sir John Lubbock, Mr. Baggallay, Mr. Arthur Cohen, Mr. Collings, Sir John Kennaway, Mr. Justin M'Carthy, Sir Lyon Playfair.*)

SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK (London University), in moving the second reading of the Bill, said, that the extension of free libraries in the Metropolis had been much checked, because the area prescribed under the law as it stood was the parish. Some of the Metropolitan parishes were, of course, large, and they constituted a very suitable area. Many, however, were very small, and in them the parishioners naturally felt that if they established a free library, the whole expense would fall on them, while their neighbours would share the benefit. For various administrative purposes those parishes were already grouped in District Boards, and it was believed by the supporters of free libraries, that their adoption would be much encouraged by permitting the area adopted to be either the parish or the district, as preferred. The only other provision to which he need refer applied to small places and villages, where the rateable value was so small, that the maximum rate—namely, 1*d.* in the pound—was insufficient to erect or even rent a building, and when it would permit the application of the Act to lending libraries. The provision was, however, applicable to larger places, which might prefer, before going to

greater expense, to establish a lending library. He hoped that the adoption of the Bill would promote the establishment of free libraries, and he trusted it would meet with the approval of the House.

Motion made, and Question, "That the Bill be now read a second time,"—(*Sir John Lubbock*)—put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

ALLOTMENTS AND COTTAGE GARDENS COMPENSATION BILL.

(*Sir Edward Birkbeck, Mr. Finch-Hatton, Sir Henry Selwin-Ibbetson, Mr. Gurdon, Viscount Curzon, Sir Savile Crossley, Mr. Norton.*)

[BILL 306.] CONSIDERATION.

Bill, as amended, *considered.*

Clause 5 (Compensation).

MR. SEALE-HAYNE (Devon, Ashburton), who had given Notice of an Amendment, in page 2, line 14, to leave out "with the previous consent in writing of the landlord," said, at this hour of the morning (2.45 a.m.), I intend to move my Amendment in as few words as possible. This Bill proposes to protect the vegetable crops of cottage gardeners and the holders of allotments; but it does not do so in respect to their fruit bushes. As Clause 5 now stands, before a cottager plants his gooseberry bushes, he must obtain the written consent of his landlord. I am perfectly certain the hon. Members who have introduced the Bill do not desire to enact such an absurdity as that. The planting of fruit bushes is merely a question of a few shillings; but a few shillings are of great importance to a poor man. I sincerely trust the hon. Gentleman in charge of the Bill (Sir Edward Birkbeck) will consent to the Amendment I have placed on the Paper. There is a social and sanitary aspect to this question. The cultivation of fruit in cottage gardens and allotments ought to be encouraged. Cottage gardens and allotments are of good, not so much as a matter of profit, but because their cultivation tends to increase a poor man's home comforts, and if you throw any impediment in the way of their cultivation, you throw an impediment in the way of social improvement. Home comforts are of the greatest importance, as they tend to keep a man away from the public-house. I hope this petty restriction to the planting of fruit bushes will be removed.

Amendment proposed, in page 2, line 20, to leave out the words "with the previous consent in writing of the landland."—(*Mr. Seale-Hayne.*)

Question proposed, "That the words proposed to left out stand part of the Clause."

SIR EDWARD BIRKBECK (Norfolk, E.): The words which the hon. Member proposes to leave out refer only to fruit trees and fruit bushes. The Bill only conforms in this respect with the provisions of the Agricultural Holdings Act of 1883, which provides, in Part I. of the First Schedule, under the head of Planting of Orchards or Fruit Bushes, that the consent of the landlord must be obtained to the planting of orchards and fruit bushes. The Bill, therefore, only proposes that labourers shall be asked to do what tenant farmers are required to do.

Question put.

The House *divided:*—Ayes 88; Noes 39: Majority 49.—(Div. List, No. 284.)

[2.50 A.M.]

MR. CONYBEARE (Cornwall, Camborne), who had the following Notice on the Paper:—

"In page 2, to add the following sub-section:—'For any outbuildings, pigsties, drains, or other structural improvements made by the tenant upon his holding.'"

said: I hope the hon. Baronet (Sir Edward Birkbeck) will see his way to accept the Amendment which stands in my name, at any rate in a modified form. What I am anxious to do for the cottagers by this Amendment is to protect the little pigsties and poultry-houses which they, in numerous cases, build themselves. I cannot understand why, when we are granting them a boon, we should not do it in a large-handed manner. If we are to give them compensation for what they have spent in the way of their crops, and fruit trees, and so on, the argument applies equally with respect to the small erections in the shape of pigsties and poultry-houses which they put up. These places cost money to the cottagers, and it appears to me to be the principle upon which this Bill is framed that they should get their money's worth. I do not want to make

a long story of it; but I am able to say, from the inquiry I took the trouble to make yesterday of labourers in my own neighbourhood in Essex, that cottagers are in the habit of building these little places. One man told me he spent £1 on a pigstye, and another told me he spent 10*s*. It is quite true that these places are not intrinsically of much value, but they are of some value to the tenant who succeeds to the cottage, while they would be utterly worthless if pulled down and taken away. It is very important that no restriction of any kind should be put upon the erection of these places; because, very often, cottagers are able by the rearing of pigs and poultry to augment very considerably the miserable pittance they receive in the shape of wages. If you do not adopt some such Amendment as I have placed on the Paper, you deprive cottagers of a legitimate source of income; because, as one labourer told me yesterday, he would have put up a pigstye at a cottage he formerly occupied if it had not been for the consciousness that he would lose it when he left the cottage. We want to encourage the thrift of our labourers, and I cannot conceive any better way of doing that than teaching them to assist themselves, and to add to their income by means of the raising of poultry, eggs, and so on. It may be said that they have compensation under the Agricultural Holdings Act; and as the Amendment of my hon. Friend (Mr. Seale-Hayne) has just been thrown out by an appeal to the Agricultural Holdings Act, I will point out that in the Amendment I will submit to the House, I am strictly following the provisions of that Act. If it is said that these poor people can get what they want under this Bill, I say that that is not so. This Bill has been called a "twopenny halfpenny" Bill, and some say it will be worthless to the agricultural labourer; but that is not true. It can be made most useful and valuable; because, under it, the agricultural labourers may obtain those benefits which you gave to the farmers. Under the larger Act, they cannot get compensation for poor and small structures, hardly worth more than 5*s*. or 10*s*. I proposed this Amendment the other evening, and I quite admit that at the first blush it may appear to go a little too far. I propose to give compensation for any drain, or fowl-house, or pig-house, or any other structure made by the tenant on his holding. It is said that under those words the tenant might be able to get compensation for a structure altogether disproportionate to his holding, and which ought not to be erected by him. If the hon. Baronet in charge of the Bill (Sir Edward Birkbeck) would accept anything of this kind, I should be prepared to limit it in this way so as to make it read—"Compensation for drains, or any outbuildings, pig-houses, fowl-houses, &c., with the written consent of his landlord." I objected to insert these words in the last Amendment; but I should have no objection to their adoption in this Amendment. I would only say that in granting this boon to the agricultural labourer we should give it largely, and with a generous and open hand. In this way we should be doing a good thing for our labourers, and if any of the hon. Members opposite will support this proposal, and join us in an endeavour to legislate in this spirit, I do not think he will have anything to fear when he meets the agricultural labourers on a future election day.

MR. SPEAKER: Does the hon. Member propose to substitute these words for the Amendment he first proposed? [MR. CONYBEARE: Yes.] He has now moved—

"For any outbuildings, pigsties, drains, or other structural improvements made by the tenant on his holding, with the written consent of the landlord."

Is it your pleasure that the Amendment should be withdrawn for the purpose of substituting the new Amendment? [*Cries of* "Yes!"]

Amendment, by leave, *withdrawn*.

New Amendment substituted.

Question proposed, "That those words be there inserted."

MR. JESSE COLLINGS (Birmingham, Bordesley): The alteration which has just been made in the Amendment makes all the difference. We think the labourers will say in respect to this Bill, "Save us from our friends!" I was in hopes that the measure would pass through the House in the simple form in which it was first proposed, and that it would deal with compensations amounting to 5*s*., 10*s*., 15*s*., and 20*s*., or some such small amounts. If the Bill had been of such a nature it would have been of

great benefit to the labourer. But if we put in the Bill provisions which lay upon the landlord the obligation of paying higher compensation for that which will be of no earthly use to him, and which the incoming tenant, who will be a poor man, will not be able to pay for, we should be doing a serious injury to the labourer. It must be remembered that the incoming tenant will be a man earning 10*s.* or 11*s.* or 12*s.* a-week, and that out of that he will not possibly be able to pay any large sum for the improvements of the outgoing tenant. I am afraid that the Bill is already ruined so far as doing practical good to poor men is concerned—ruined by those who should have protected the interests of those persons. I agree that this Bill is one which is worth talking about, but I maintain that it is one as to which we should know that about which we are talking. In the last Parliament the Agricultural Holdings Bill was brought down to 10 and to five acres. I moved an Amendment that it should be available down to two acres, and I was sensible of the difficulties that would arise even as to so small a holding as two acres. It is evident that if you are to adopt the machinery of the Agricultural Holdings Act in connection with this measure—and this seems to be the idea of some hon. Members—the Bill will not be workable at all. I have considered for years by what means we could secure compensation to these poor people; but it has been reserved to the hon. Baronet opposite to hit upon the plan in this Bill—a plan quite unscientific, very rough and ready, but one which will be effectual. It must always be borne in mind that expenses may have to be incurred in connection with the securing of this compensation. If the man is compelled to go to the County Court or to the Land Commission, or to make use of such contrivances, he may be put to more expense than he would get in the shape of compensation. Again, if the landlord, when he lets a small cottage for 1*s.* 6*d.*, 2*s.*, or 2*s.* 6*d.* a-week, is to be subjected to the liability of paying 15*s.* or £1 for a pigsty which he might not want, and which the incoming tenant might have no use for, and would not be able to pay for if he had use for it, you may rely upon it that this particular class of cottagers will have reason to complain of the action of a Bill of this kind, which, it is said, is introduced for their benefit. I am quite aware of the desire hon. Members may have to put me in the position of opposing this Bill. I have studied the labourers' question for years——

MR. BIGGAR (Cavan, W.): I rise to Order.

MR. SPEAKER: I see no question of Order before the House. I call on the hon. Member (Mr. Collings).

MR. BIGGAR: I rise to Order.

MR. SPEAKER: Mr. Jesse Collings.

MR. JESSE COLLINGS: I was saying when interrupted, that I have studied the agricultural labourer's question, and that my desire is to give him real benefit, and that I am content to oppose Amendments which will not benefit the labourer, and which, in a measure of this kind, will be found to his disadvantage. As I said before, the Bill would have been seriously injured by the last Amendment. By the present Amendment, as it stands upon the Paper, the Bill would be rendered absolutely unworkable, and be an injury to the labourers. But seeing that the hon. Gentleman has met the difficulty by adding the words "with the landlord's consent in writing"—there can be no objection to the proposal. I shall have great pleasure in supporting it.

MR. CHANNING (Northampton, E.): I do not propose to follow the somewhat discursive remarks of the hon. Member; but, as I quite agree with him that it is desirable that matters of this kind should be discussed by those who know what they are talking about, I would venture to point out to the hon. Member, and to the House, what must be within the knowledge of all hon. Members who are acquainted with the subject, that the Agricultural Holdings Act has no limit whatever—five acres, or two acres, or anything else—in its application, but applies to any holding however small, as well as to the largest. The merit of this Bill is that it provides for cases which might otherwise, by agreement as to length of tenancy or manner of cultivation, be excluded from compensation under the Agricultural Holdings Act. I hope that now the Amendment of my hon. Friend the Member for Cornwall (Mr. Conybeare) has been altered by the suggestions of the hon. Member for the Rugby Division (Mr. Cobb) and myself, it will be

accepted. It places the allotment holder in all cases exactly in the same position as the tenant farmer under the Agricultural Holdings Act.

SIR EDWARD BIRKBECK: I am quite ready to accept the Amendment.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

SIR EDWARD BIRKBECK (Norfolk, E.): With the permission of the House, I would now ask that this Bill be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir Edward Birkbeck.*)

MR. CHANNING (Northampton, E.): I do not wish to stand in the way of the Bill being read a third time; but I think it undesirable that it should leave this House without a distinct statement of the sense in which, and on which alone it is accepted on this side of the House. We regard the measure with satisfaction as an opportunity to this House of recording its opinion that tenant right should be given to the smallest holder of the land as well as to the largest; but we retain our opinion that the procedure of the measure will largely defeat the purpose with which the Bill is introduced. We think, and I am sure I am expressing the opinion of many hon. Members, that the principle of this Bill would be better carried out by amending the Agricultural Holdings Act so as to cover the cases which might now be excluded from its benefits, and to simplify and cheapen its procedure. The merit of the Agricultural Holdings Act, 1883, was that it very largely placed the tenant farmer in an independent position in regard to his landlord. The fault of this Bill is, that while recognizing the principle of tenant right for the allotment holder, it carries out the principle in such a way that it makes the allotment holder and the cottager more dependent on the landlord than he was before. We all know that the body of Gentlemen who will have to apply this measure if it becomes an Act, with whom will lie the appointment of an arbitrator, will be the County Justices, and that the County Justices are simply a select committee of the landlords of the county, and are identical in interests and feelings with the landlords. [*Cries of* "Agreed!"] It is all very well for hon. Gentlemen on the other side to say "Agreed;" but I assert my right to state the grounds upon which, and upon which only, I can accept this Bill, and I have some right to do so, as I think I probably represent as large or a larger number of allotment holders than any other Member of this House. By this Bill you give rights to one man as against another man; and, at the same time, by the procedure you adopt, you make the second man his own judge in an action brought against himself. I am sure there are many county magistrates who would act justly and with generous consideration in questions of compensation; but my objection is to the principle of the thing. It makes the interested party the judge in his own case, and it puts the allotment holder more than ever under the influence of the landlord. As the Bill is framed, it is not so much a tenant-right Bill as a Bill to extend the powers of the Primrose League. [*Laughter.*] It is all very well for hon. Gentlemen on the opposite side to laugh; but we who represent agricultural constituencies in the Midlands know the operations of the Primrose League, and know very well that a cottager who is a Radical and a Dissenter will not stand the same chance as a cottager and allotment holder who is a subservient Tory, and who gets catered for by the blanket and coal fund through assiduous attendances at the parish church. The procedure clauses as they stand make this Bill a sham. I repeat we only assent to this Bill as asserting the principle of tenant right for the allotment holder, because the election in the Spalding Division gives confidence to look forward to other bye-elections which will before long bring the day when we on this side of the House will be in a position to turn this Bill from a sham into a reality.

DR. TANNER (Cork Co., Mid): I sincerely hope the third reading will not be taken to-night. We have already been kept here to a very late hour, and there are a certain number of Members who take an interest in this Bill who are not now present. I do not see why the Bill should be read a third time in this unseemly fashion. The third reading may reasonably be postponed, say, until Thursday, by which time we may be able to digest what has been done on Report.

MR. CHANCE (Kilkenny, S.): I hope the third reading will be taken to-night. The Bill is by no means an important one. The agricultural labourer should be saved from his friends. I observe that the Bill gives the agricultural labourer very little redress indeed. It strictly limits the compensation to small holdings; and then it provides that the Justices—the Tory gentlemen of the district—should appoint an arbitrator, with or without payment. I noticed that the hon. Gentleman who spoke about the necessity for rapid and cheap procedure raised no objection whatever to the clause which gives to these country gentlemen power to direct such moderate compensation which they think reasonable. I observe, too, that there is nothing to prevent the landlord coming in, and saying to the tenant—"Will you agree that whenever you go out your compensation may be so much," or to prevent the landlord, when he has prevailed upon the tenant to agree to accept so much, turning him into the road. I regard this Bill as worthless, because it will give a cottager no real protection. I trust this Bill will not be taken as a sample of the measure which the true Liberal Party will bring in for the benefit of the agricultural labourer.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

PARLIAMENTARY ELECTIONS (SEAMEN'S VOTE) BILL.—[BILL 190.]

(*Mr. Atkinson, Sir Robert Fowler, Mr. Baden-Powell, Mr. Grotrian, Mr. Thomas Sutherland, Mr. Ewart, Sir Edward Birkbeck, Mr. King, Mr. Gourley, Mr. Cavendish Bentinck, Colonel Hill, Mr. Donkin.*)

SECOND READING.

Order for Second Reading read.

MR. ATKINSON (Boston): At this hour of the morning (3.25 A.M.) I will not detain the House more than three or four minutes in moving the second reading of this Bill. The Bill is introduced by both Liberals and Conservatives, a fact which I hope will accelerate its passing. It is to give a measure of justice to those who have been practically disfranchised up to the present time, and to give them the same facilities of exercising the suffrage which men who are in a better position have. Masters of Arts are able to vote by voting papers; but seamen, who may not be able to leave their ships, are not able to vote in this way. The only objection that has been raised to the Bill is, that it is impossible to reach all seamen; but, surely, that objection implies approval of the measure. We can reach all men engaged in the coasting trade, and many others also. The argument that we cannot do justice to all is really no argument at all. It has been said that the Bill destroys, to some extent, the secrecy of the Ballot; but that may be avoided by omitting in Committee one line and a half of Clause 5. It certainly is not necessary to press that part of the clause, which provides that the voting papers shall be read. The assertion that the Ballot is interfered with in any way does not hold good. But, whether it does or not, the system which obtains with reference to the voting of Masters of Arts in University Elections is the system provided in this Bill, consequently there is no new proposal made. I trust justice may be done to our seamen, who, hitherto, have practically been disfranchised.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Atkinson.*)

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): Of course everybody sympathizes with the object my hon. Friend has in introducing this Bill, and looking at the galaxy of names on the back of the Bill, the man would be hardy who attempted to resist the measure. It becomes my duty, however, to point out in what respects the Bill ought to be amended, before it is allowed to pass through Committee. [An hon. MEMBER: This is the second reading.] I am going to state the understanding upon which the Government will consent to the second reading. It should be made quite clear, for instance, that the benefit of the Bill is to be extended only to such seamen who are actually at sea on the day of polling, which is not provided in the Bill as it stands. Secondly, some provision should be inserted in the Bill to prevent a man voting twice. Under the Bill, as it stands, it is by no means clear that a man may not send in a voting paper, and also

vote personally. Then, at the end of Clause 5, an attempt is made to provide against a case in which a man shall have already voted at the same election. I do not know how that is to be known to the presiding officer. The scheduled form of voting paper should contain a declaration of inability to be present in person. If these, and a few other points can be satisfactorily dealt with by Amendments in Committee, the Government see no objection to the second reading of this Bill. These, however, are essential points upon which the Government must insist.

MR. BRADLAUGH (Northampton): I trust the second reading of this Bill will not be taken at this hour. The Bill entirely changes the law, and opens the door to the grossest fraud by people who, as we have seen, by many of the election inquiries, have been specially susceptible to influence at election times. As it would be improper to detain the House at this hour, and impossible to take the second reading without discussion, I beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Bradlaugh.*)

MR. CONYBEARE (Cornwall, Camborne): I hope the Government will accept the Motion for the Adjournment of the Debate, otherwise it will be necessary to go to a Division. This is a Bill which simply revolutionizes our election system. I am not going to enter into the merits of the Bill. All I desire to say is that it would be perfectly monstrous to sanction a new principle of this kind in a thin House and at this hour of the morning.

Question put.

The House *divided:*—Ayes 39; Noes 52: Majority 13.—(Div. List, No. 285.)

[3.15 A.M.]

Original Question again proposed.

MR. ILLINGWORTH (Bradford, W.): I beg to move the adjournment of the House. I appeal to whoever is in authority on the Government Bench, whether it is not unreasonable that an important change of the law like this should be pressed upon the House in its present jaded condition.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Illingworth.*)

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I hope the hon. Gentleman will withdraw his Motion, and that my hon. Friend (Mr. Atkinson) will, in view of the Division just taken, agree to the adjournment of the debate.

MR. BIGGAR (Cavan, W.): I hope my hon. Friend (Mr. Illingworth) will not withdraw his Motion for the Adjournment of the House. It is preposterous to introduce a Bill of this sort at the fag end of the Session, when it cannot possibly come on but in the early hours of the morning. It it better the Bill should be given its quietus at once.

DR. TANNER (Cork Co., Mid): The Bill will lead to considerable debate, hence it is absurd to put it forward at this time of the morning.

MR. SPEAKER: Does the hon. Member for West Bradford withdraw his Motion?

MR. ILLINGWORTH: I am afraid I cannot, as I have received no assurance.

MR. JACKSON: The hon. Gentleman (MR. Atkinson) agrees to the adjournment of the debate.

MR. ILLINGWORTH: Then I ask leave to withdraw my Motion for the Adjournment of the House.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Debate arising.

Debate *adjourned* till *Friday.*

WATER COMPANIES (REGULATION OF POWERS) BILL.—[BILL 141.]

(*Mr. Fulton, Captain Colomb, Mr. C. E. Spencer.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Captain Colomb.*)

MR. MUNDELLA (Sheffield, Brightside): Perhaps some explanation will be given of the objects of this Bill. We have heard nothing whatever as to what it proposes to do.

CAPTAIN COLOMB (Tower Hamlets, Bow, &c.): I did not like to trouble the House to explain the Bill at this hour of the morning, particularly as it has been in the hands of hon. Members for a considerable time. The object of the measure is to regulate

the powers of Water Companies to cut off the supply of water from occupiers when the owner is alone liable under the law for the water rate. In cases where, at present, the water would be cut off from tenants who would not be to blame, under this Bill, when it comes into operation, the Water Companies will not be able to take that course, but will have power to proceed against the landlord.

MR. MUNDELLA: Do the Government agree with the Bill?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes): Yes.

DR. TANNER (Cork Co., Mid): For a long time I opposed this measure; but after it was printed, and I was able to see what its object was, I was convinced of its value. Since that time I have heard many complaints in the Metropolis of the operations of the Water Companies. I trust the Bill will meet with a favourable reception.

Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

BUTTER SUBSTITUTES BILL.

Special Report from the Select Committee on the Butter Substitutes Bill, with Minutes of Evidence, *brought up*, and read;

Oleomargarine (Fraudulent Sale) Bill *reported*, with an amended Title; Short Title changed to "Butterine (Fraudulent Sale) Bill;" Bill, as amended, to be *printed* [Bill 309]; *re-committed* to a Committee of the Whole House for *Thursday*.

Butter Substitutes Bill *reported*, without Amendment.

Special Report and other Reports to lie upon the Table, and to be *printed*. [No. 208.]

LIFE LEASES CONVERSION BILL.

On Motion of Sir Edmund Lechmere, Bill to provide for the Conversion of Leases for Lives into Leases for Years, *ordered* to be brought in by Sir Edmund Lechmere, Mr. Hastings, Mr. Puleston, and Mr. Radcliffe Cooke.

Bill *presented*, and read the first time. [Bill 310.]

AGRICULTURAL LABOURERS' HOLIDAYS (SCOTLAND) BILL.

On Motion of Mr. Thorburn, Bill entitling Agricultural Labourers in Scotland to certain Holidays in lieu of fair days and fast days, *ordered* to be brought in by Mr. Thorburn, Mr. Barclay, and Dr. Clark.

Bill *presented*, and read the first time. [Bill 311.]

House adjourned at a quarter before Four o'clock in the morning.

HOUSE OF LORDS,

Tuesday, 5th July, 1887.

MINUTES.]—PUBLIC BILLS—*First Reading*—Allotments and Cottage Gardens Compensation* (155); Pauper Lunatic Asylums (Ireland) (Superannuation)* (156).

First Reading — Second Reading — Committee negatived—Third Reading—Consolidated Fund (No. 2),* and *passed*.

Second Reading—First Offenders (140); National Debt and Local Loans* (141).

Royal Assent — Customs and Inland Revenue [50 & 51 *Vict.* c. 15]; Consolidated Fund (No. 2) [50 & 51 *Vict.* c. 14]; Truro Bishopric and Chapter Acts Amendment [50 & 51 *Vict.* c. 12]; Colonial Service (Pensions) [50 & 51 *Vict.* c. 13]; Hyde Park Corner (New Streets) [50 & 51 *Vict.* c. 56]; Christchurch (Southampton) Charter (Correction of Error) [50 & 51 *Vict.* c. 55].

PROVISIONAL ORDER BILLS—*Committee—Report* — Oyster and Mussel Fisheries* (136); Metropolis (Cable Street, Shadwell)* (134); Metropolis (Shelton Street, St. Giles)* (135).

Report—Local Government (No. 4)* (125).

Third Reading—Local Government (No. 3)* (124); Water* (126), and *passed*.

Royal Assent—Local Government Provisional Order (Highways) [50 & 51 *Vict.* c. lvii]; Local Government Provisional Orders (Poor Law) [50 & 51 *Vict.* c. lviii]; Local Government Provisional Orders (Poor Law) (No. 2) [50 & 51 *Vict.* c. lix]; Pier and Harbour Provisional Orders [50 & 51 *Vict.* c. lxxiv]; Local Government (Ireland) Provisional Order (Limerick Water) [50 & 51 *Vict.* c. lxxv]; Commons Regulation (Ewer) Provisional Order [50 & 51 *Vict.* c. lxxvi]; Commons Regulation (Laindon) Provisional Order [50 & 51 *Vict.* c. lxxvii]; Local Government Provisional Order (Poor Law) (No. 3) [50 & 51 *Vict.* c. lxxxii]; Local Government Provisional Orders (Gas) [50 & 51 *Vict.* c. lxxxiii]; Local Government Provisional Orders (No. 2) [50 & 51 *Vict.* c. lxxxiv].

THE COLONIAL CONFERENCE—THE REPORT OF THE PROCEEDINGS.

QUESTION.

THE EARL OF CARNARVON said, he wished to ask the Under Secretary of State for the Colonies a Question of which he had given him private Notice, It would be satisfactory, he thought, to their Lordships to hear that the volume which would contain a record of the proceedings of the Colonial Conference in the earlier part of the summer would be shortly published. It would be a valuable and interesting document, and he should be glad to hear that it was near publication.

sons. Do what we would, supervision was very apt to fail where we most wanted it exercised. Persons who, when convicted for the first time, were not likely to return to a course of crime, would duly report themselves; but those who would not report themselves were just the class for whom supervision was needed, and it was almost impossible to follow them from one part of the country to another, as would have to be done if the Bill came into effect. He hoped, however, that the House would give the Bill a second reading.

Lord COLERIDGE said, that, while supporting the second reading of the Bill, he must observe that in many of its provisions it was very crudely drawn, and would require to be very considerably amended before it passed their Lordships' House. If the Government draftsman was responsible, the Bill must have been drawn when his full attention was not given to the subject. No man could have been engaged for any length of time in the administration of criminal justice without feeling the great injustice which was done in the case of small offenders. Within the last year two boys hardly able to raise their faces above the bar were brought before him under the description "previously convicted." On making inquiries he discovered that the previous conviction was for stealing apples, and that the boys had suffered two months' imprisonment for that offence. When he remembered what boys generally were, he could not regard it as other than a very cruel thing to brand them as criminals for such an offence. If those lads lived to the age of 60, any unscrupulous counsel might call a blush to their cheeks by asking whether they had not been sentenced to two months' imprisonment for theft. Great mischief was done by the record of these convictions, which, in the opinion of many, led to the infliction of frightfully severe sentences for peccadilloes, which, even if repeated 70 times, would be but peccadilloes after all. The instrument of punishment broke in your hand when you had nothing stronger to inflict for cruel and abominable crimes, and if there was not some moral proportion between the offence and the punishment. He did not say that there might not be cases in which it might be necessary to inflict punishment which one might be morally certain would do harm. In the administration of justice you could not in many cases discriminate. One must often be acting in the dark; but it was most important that the principle which lay at the root of this Bill, which was that a first offence should be passed over, and that a boy or girl should be allowed a second chance—a principle which was now wanting in our Criminal Law—should be embodied in an Act of Parliament. He could confirm from personal observation of what was done in the States of America the utility of such a course. In the great State of New York there was a large reformatory containing 700 or 800 boys, and as many girls; no record was kept of their convictions; their names were not recorded; they were known only by numbers; they were taught some useful pursuit and were not treated as criminals, nor did they, in after life feel any shame at having been in that establishment, which was supported by some of the ablest men in the State of New York. He hoped their Lordships would give a second reading to the Bill.

The LORD CHANCELLOR (Lord Halsbury) said, he was quite sure their Lordships would share the feelings of the Lord Chief Justice in the desire to do everything that could be done to make a marked distinction between a first offence and subsequent offences, when the circumstances were such as to justify leniency. The Government were not responsible for the framing of the Bill, and in the form in which it then stood he could not consent to its passing; but the principle was undoubtedly good, and the clauses might be moulded in Committee into something better than they were in their present shape. As it stood at present, it would repeal the law which required the Judge, on a first conviction for murder, to pronounce sentence of death, and it would allow the offender to go forth without punishment or imprisonment. It also seemed to be applicable to first offences, where the nature of those offences justified a departure from the ordinary procedure of the Criminal Law. He doubted, however, if the provisions of the Bill were adhered to, it would do much to effect the improvement contemplated by its authors. If the Bill was read a second time, and referred to a Select Committee, as had been suggested, their Lordships

would have to take good care that it was amended.

LORD FITZGERALD said, he quite agreed that the Bill was sound in principle, and the House was indebted to the noble Earl opposite (the Earl of Belmore) for introducing it; but it would require careful supervision. He also agreed that the Bill should be sent before a Select Committee, composed of noble and learned Lords fully experienced in the administration of the Criminal Law of the country. He must say he had been often shocked at the outrageous sentences frequently inflicted in the country districts.

THE EARL OF MILLTOWN said, he believed that if the Bill removed the taint of imprisonment for a first offence it would introduce greater punishment, for he feared it might be more difficult under the Bill for an offender to obtain employment if he was under police espionage than if he had served some small term of imprisonment. He would also remind the Lord Chief Justice that the Bill would make no alteration whatever in the proportion of punishments to offences; and, further, that the convictions would still be recorded, so that the offender would still lie under the stigma of having been convicted of felony.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 21*st instant.*

ISLANDS OF THE SOUTHERN PACIFIC — RELIGIOUS PERSECUTIONS IN TONGA.

QUESTION. OBSERVATIONS.

THE ARCHBISHOP OF YORK, in rising to ask Her Majesty's Government, Whether the Report of Sir Charles Mitchell on the persecutions in Tonga has been examined; and whether the information contained in it can be laid before the House without disadvantage to the Public Service, said, he would briefly state the substance of the reports which had been published as to the persecutions in Tonga. A former Wesleyan missionary named Baker had attained to political power, and had established a Free Church; and it was alleged that he had persecuted the Wesleyans with the object of compelling them to join his new Free Church. There had been severe beatings and floggings, and all the worst elements of a religious persecution. At last, some of the despairing Wesleyans made an attempt to assassinate Baker, and some members of his family were injured. It was said that six men were thereupon arrested, and were taken to a little island 60 yards long, where six graves had been dug. Two of these men confessed their complicity in the attack upon Baker, and exonerated the other four; but, without any form of trial, all six were shot one by one. The latest news received was that two shiploads of Wesleyans were to be deported to one of the Fiji Islands. The allegations of persecution had been inquired into by Sir Charles Mitchell, and it was stated that he had sent home a Report, which was accompanied by the depositions of 160 witnesses. He, therefore, wished to ask the Question of which he had given Notice. It might be a question whether the depositions should be published; but as great crimes appeared to have been committed it was hoped that the Report, or an abstract of it, with or without the evidence, might be laid before the country, in order that the attention of the people at home might be drawn to the persecutions.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of ONSLOW), in reply, said that the subject of the reported persecutions had not escaped the attention of Her Majesty's Government, and Sir Charles Mitchell had been to Tonga to make an inquiry into the circumstances of the case, and he had sent home a Report and enclosures. It was a very full Report, and contained the depositions of a large number of witnesses. He could not give an absolute promise until the Report had been considered by the Government; but he hoped that the Report and the accompanying documents might be laid before Parliament. He could assure the most rev. Prelate, however, that he had placed them in the hands of the printer, and had pressed that they might be put into type without delay. He hoped that the whole of the Papers might be presented to the House and distributed to their Lordships early next week.

House adjourned at half past Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 5th July, 1887.

MINUTES.] — PROVISIONAL ORDER BILLS — *First Reading*—Local Government (Ireland) (Dublin, &c.) * [312].

Second Reading—Local Government (No. 9) * [296].

Considered as amended—Tramways (No. 1) * [257].

QUESTIONS.

WAR OFFICE — ALBANY BARRACKS, PARKHURST, ISLE OF WIGHT— UNWHOLESOME WATER.

DR. CAMERON (Glasgow, College) asked the Secretary of State for War, Whether it is true that Albany Barracks, Parkhurst, Isle of Wight, is ordinarily supplied with unfiltered water derived from the surface drainage of an adjacent forest; if an outbreak of typhoid fever recently occurred in the barracks, and whether there was any reason to believe that it was connected with the use of impure water; whether it is true that pipes conveying Carisbrooke water to a neighbouring prison pass the barracks, and that water from them has been temporarily laid on to meet a failure of the ordinary supply; and, if he will consider the propriety of permanently substituting this purer water for that hitherto used?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The ordinary water supply of Albany Barracks, Parkhurst, is derived from the surface water of an adjoining forest; but after being collected the water is passed through ample filtration beds. This water has been repeatedly analyzed, and after filtration pronounced good and wholesome; but recently, from the long drought or other causes, the supply has become insufficient, and of inferior quality. In April there were three cases of typhoid fever; and in the absence of any other known insanitary condition it is supposed that the water was the cause of the outbreak. The pipes of the Carisbrooke Water Company pass the barracks, and temporary arrangements for a supply from their main have been entered into. The question of the future supply will be carefully considered.

SCOTLAND—RESTORATION OF DUNBLANE CATHEDRAL—FAMILY BURIAL RIGHTS.

DR. CAMERON (Glasgow, College) asked the First Commissioner of Works, Whether the interior parts of Dunblane Cathedral have been used as a burial ground over a century; and, what arrangement has been made, or is proposed, with regard to the burial rights of the families interested in connection with the proposed restoration of the Cathedral?

THE FIRST COMMISSIONER (Mr. PLUNKET): The interior of the Cathedral has been used in the past for purposes of burial. In the proposals which have been made for restoration of the Cathedral the question of the burial rights of the families interested has not been raised; but it would, no doubt, have to be carefully considered should the principle of these proposals be eventually adopted.

THE MAGISTRACY (ENGLAND AND WALES)—MR. B. E. PHILLIPS, J.P., FLINTSHIRE.

MR. J. ROBERTS (Flint, &c.) asked the Secretary of State for the Home Department, Whether Mr. Basil Edwin Phillips, a Justice of the Peace for the County of Flint, now possesses the qualifications legally required for that office; whether he was nominated to it before he came of age; and, whether he has ever since that time resided near London?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Clerk of the Peace that Mr. Phillips is the owner in fee of a house fully furnished, and an estate in the county of several hundred acres. The house has been let for the last three years, and Mr. Phillips has not resided in the county. He was nominated after he came of age. He has not yet qualified, nor acted, as a Justice of the Peace.

THE MAGISTRACY (ENGLAND AND WALES)—FLINTSHIRE MAGISTRATES.

MR. J. ROBERTS (Flint, &c.) asked the Secretary of State for the Home Department, Whether any of the four gentlemen who qualified on Tuesday at Mold as Justices of the Peace for the County of

Flint are able to speak Welsh; and, whether he will call the attention of the Lord Chancellor to the desirability of nominating as Magistrates in Welsh-speaking districts gentlemen who, in addition to other necessary qualifications, know something of the common language of the people?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have already, on the 9th of June, in answer to the hon. Member, explained the manner in which magistrates for counties are appointed. The Lord Chancellor has not received any information which causes him to doubt that the Lord Lieutenant of Flintshire, having regard to all the circumstances, has made a proper recommendation to him in the case to which the Question is addressed. Familiarity with the Welsh language may be desirable in addition to other qualifications; but it may often be exceedingly difficult to find gentlemen who, besides being well qualified in other respects, can speak Welsh.

ADMIRALTY—NAVAL OFFICERS AND MEN AT ST. CHARLES'S ROMAN CATHOLIC CHURCH, HULL.

MR. JOHNSTON (Belfast, S.) asked the First Lord of the Admiralty, If his attention has been called to the statement in *The Hull Critic* of the 25th ultimo, that, on Sunday, the 19th of June, in St. Charles's Roman Catholic Church, Hull—

> "A party of blue jackets from the guardship, under the command of Lieutenant Hickey, took their places within the altar rails, and, at bugle call and the word of command, the sailors presented arms," "at the consecration and elevation of the Eucharist;"

whether this statement refers to Marines from Her Majesty's gunboat *Rupert;* and, whether the sanction of the Admiralty was given to this proceeding, and, if not, what steps are proposed to be taken in reference to the matter?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): I have not seen the newspaper referred to; but the circumstances are generally as stated in the Question. The service at the church named was one specially held on the occasion of Her Majesty's Jubilee, and was, I understand, attended by the Mayor and Corporation of Hull. The Commanding Officer of the *Rupert* considered himself justified, under the circumstances, in permitting a departure from the ordinary practice, and allowed some of the Roman Catholic officers and seamen of the ship to carry their arms. The marks of respect shown were those usual in Roman Catholic churches when men are under arms. The Admiralty were not consulted in the matter; but I do not think that men should, except under very special circumstances, carry their arms to Divine Service.

NORTH-EAST AFRICA—THE FRENCH AT DONGARITA, ON THE SOMALI COAST.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, Whether the French flag is still flying at Dongarita, on the Somali Coast, in North-East Africa?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The French Government have recently acknowledged, in a formal manner, the protectorate of Her Majesty's Government at Dongarita. I presume that if the flag is still flying there, it will be lowered at the first opportunity; but, as the place is quite uninhabited, we rely for our information upon passing vessels.

WAR OFFICE—THE ARMY PURCHASE COMMISSION, 1870-1 — COMPENSATION.

COLONEL HUGHES-HALLETT (Rochester) asked the Secretary of State for War, How many officers remain to be awarded compensation by the Army Purchase Commission appointed for that purpose in 1870 and 1871; and, when it is calculated that the labours of the Commission will be over?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: I cannot add materially to the reply made to my hon. and gallant Friend by the Secretary of State on the 22nd of April. It was then estimated that 2,000 purchase claims remained. That number cannot as yet be perceptibly reduced. Other duties of a temporary character have been assigned to the Commission, and it is not easy to say when its labours will end. The Secretary was, however, appointed for a limited period, which will expire in four years; and I anticipate that the work

of the Commission will be practically nearly concluded by that time.

WAR OFFICE (ORDNANCE DEPARTMENT)—ARMY STORES—ISSUE OF HIDES FOR THE CAVALRY AND ARTILLERY.

COLONEL HUGHES-HALLETT (Rochester) asked the Surveyor General of the Ordnance, Whether the hides recently issued to the Cavalry and Artillery at Aldershot have been condemned by Major General Drury Lowe, the Inspector of Cavalry, as "worthless;" whether these hides were "passed" by the "Viewer," in 1886, as sound and good; whether the Viewer who then "passed" them was formerly an *employé* of Messrs. Ross, of Bermondsey, by whom the hides in question were sold to the Government; and, whether this same Viewer is the person who was called upon, within the last few days, to report on these very hides?

MR. HANBURY (Preston) asked, Whether the Viewer referred to was the same as to whom the Royal Commission reported that they were by no means satisfied that the evidence against this man was not well founded, and recommended that a full and searching inquiry should be instituted by persons not connected with ordnance?

THE SURVEYOR GENERAL (Mr. NORTHCOTE) (Exeter): Sir Drury Lowe did report that certain collar hides issued to Cavalry at Aldershot were worthless for the purposes required. No complaints have been received from the Artillery. As a result, all these hides in charge of the Cavalry at Aldershot have been inspected, and 4½ were found doubtful and sent to Woolwich. They were part of the supply of 300 made by Messrs. Ross early in 1886 to meet urgent requirements. They had apparently been prepared too hurriedly; but, after redressing, are considered fit for issue. The Inspector under whose orders the Viewers acted who passed these hides was formerly in the employment of Messrs. Ross; and, as he still holds office, it is he who would now be called upon to inspect these hides. The batch referred to formed one of the matters with regard to which the Ordnance Inquiry Commission received evidence; and it is intended to have the whole of the circumstances relating to their quality, delivery, and inspection fully investigated by an independent authority.

WAR OFFICE—HORSE ARTILLERY OF FIRST ARMY CORPS.

COLONEL HUGHES-HALLETT (Rochester) asked the Secretary of State for War, Whether it is a fact that orders have been sent to Aldershot to break up temporarily, in the middle of the drill season, one of the batteries of Horse Artillery stationed there, belonging to the First Army Corps, for the purpose of taking two 20-pounder guns to Okehampton; and, whether a service of this kind is not always performed by Field Batteries, whose province it is?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The experiments at Okehampton concern Horse as well as Field Artillery; and officers of both branches have, therefore, been ordered to be present.

WAR OFFICE—MEDICAL OFFICERS OF THE ARMY.

DR. FARQUHARSON (Aberdeenshire, W.) asked the Secretary of State for War, with reference to his letter of 6th June, addressed to Mr. Ernest Hart, as Chairman of the Parliamentary Committee of the British Medical Association, Whether he will take means to ascertain the ground of the present feeling of discontent among the medical officers of the Army with their anomalous position, which, they allege, affords them neither relative nor substantive rank in the Army; and, whether he will enable them collectively to state their grievances to him, and to suggest the desired remedies?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I have already received a deputation from the civil branch of the Medical Profession on this subject. It would be a breach of military discipline for military medical officers to unite in any collective expression of complaint.

NORTH SEA LIQUOR TRAFFIC—THE CONFERENCE AT THE HAGUE.

SIR EDWARD BIRKBECK (Norfolk, E.) asked the Under Secretary of State for Foreign Affairs, Whether he can now give any further information relative to the prospect of a Convention

being concluded for prohibiting "floating grog-shops" in the North Sea; and, whether the six Governments represented at the International Conference, held at the Hague in June, 1886, have accepted the recommendations made on that occasion?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Her Majesty's Government are awaiting a further communication from the Netherlands Government, which may be expected when the latter have received the views of the Governments of Belgium, Denmark, and France on the Amendments to the Convention suggested by the German Government, to which Her Majesty's Government have already agreed.

ISLANDS OF THE SOUTHERN PACIFIC — RELIGIOUS PERSECUTIONS IN TONGA.

MR. W. H. JAMES (Gateshead) asked the Secretary of State for the Colonies, If Sir Charles Mitchell's Report on the persecutions in Tonga will be laid upon the Table; and, if so, when it will be in the hands of Members?

THE SECRETARY OF STATE (Sir HENRY HOLLAND) (Hampstead): Sir Charles Mitchell's Report will be laid on the Table. The Report is a very full one, and the enclosures also extend to a great length. I have very little doubt that the whole of it can be presented; but I cannot give an absolute undertaking to that effect until the Foreign Office have had an opportunity of reading it. I have pressed on the printing, and I should hope that the Papers may be distributed early next week.

WAR OFFICE (ORDNANCE DEPARTMENT)—THE DESIGNERS OF THE 110-TON AND 43-TON GUNS.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh) asked the Secretary of State for War, Whether the officials in the War Office who have given, or are about to give, orders for the construction of the 110-ton guns (which will require 1,000 lbs. of powder to discharge each shot), are the same officials who designed and ordered the construction of 15 43-ton guns in 1883, at the cost of £100,000; whether four of those 43-ton guns were put on board the *Collingwood;* whether one of them burst on firing the second round with only half a charge; and, whether the whole 15 guns were condemned as being wholly unfit for service?

THE SURVEYOR GENERAL OF ORDNANCE (Mr. NORTHCOTE) (Exeter) (who replied) said: The 110-ton guns were designed and are manufactured by Sir William Armstrong and Co., and not by the Royal Gun Factories; but the design was considered and approved by the Ordnance Committee. With reference to the 43-ton guns referred to, their full history has been given in this House, and also before the Royal Commission. I would refer the hon. Gentleman to my reply of May 20 to the hon. and gallant Member for South-East Essex (Major Rasch). Four of these guns were put on board the *Collingwood;* one gun blew off its chase with a three-quarter charge of powder. The guns are being chase-hooped and chamber-lined in accordance with the recommendations of the Ordnance Committee, and are believed to be thoroughly serviceable.

WAR OFFICE—THE RE-ORGANIZATION IN 1879.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh) asked the Secretary of State for War, Whether his attention has been called to the statement published in the newspapers, that the staff in the War Office was re-organized in 1879; that 38 clerks, under 46 years of age, were then pensioned off; that one of them, 31 years of age, whose salary was £260 a-year, was granted a pension of £130 a-year with a bonus of £524; and that another of them, 37 years of age, whose salary was £260 a-year, received a pension of £207 a-year with a bonus of £950; whether that statement is true; and, whether the pensions and bonuses granted on that occasion were given as a reward for services rendered to the State, and if the pensions are now paid?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: The War Office was re-organized in the years 1878 to 1880; and for the purpose of putting a stop to the increase of charge of the expensive establishment which then existed, and for the sake of working the Office on more efficient and

economical principles for the future, many of the clerks were placed on pension. The Admiralty and War Office Act of 1878 fixed the minimum pensions and the scale of gratuities. Under that Act every pension granted was specially reported to this House by the Treasury. The numbers stated by the hon. Member are rather under than over-stated; but the two cases referred to in the Question cannot be traced. Of the clerks then pensioned, the survivors, with the exception of those who commuted their pensions and with one other exception, still draw the retired pay granted to them.

WAR OFFICE—MEDICAL STAFF—SURGEON MAJOR SANDFORD MOORE.

DR. TINDAL ROBERTSON (Brighton) asked the Secretary of State for War, Whether it is the fact that the Medical Director General, and the Medical Board which reported on the case of Surgeon Major Sandford Moore, consider that officer's loss of vision to be caused in and by the service?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): They reported that Surgeon Major Moore's ailment was aggravated by his service.

LOCAL GOVERNMENT BOARD (IRELAND)—CONFIRMATION BILL—PARLIAMENTARY AGENTS.

MR. J. E. REDMOND (Wexford, N.) (for Mr. DWYER GRAY) (Dublin, St. Stephen's Green) asked the Chief Secretary to the Lord Lieutenant of Ireland, In what cases, within the last two years, the Local Government Board (Ireland) have written to Local Authorities, to whom Provisional Orders have been granted, mentioning the names of Messrs. Holmes, Greig, and Greig as a firm of Parliamentary Agents who would undertake the carriage of the Confirmation Bill through Parliament, and also stating that such agents were prepared to undertake all work connected with the Order, allowing a deduction of 15 per cent on the taxed costs; in what cases has such an allowance been made; whether the taxing officer, to whom the agents' costs were referred, was aware of this arrangement; whether, in each case, he deducted such 15 per cent from the amount of his certificate; and, if not, who obtained the benefit of the deduction; and, whether any person connected with the Local Government Board received any payment or allowance, direct or indirect, in connection with any of these transactions?

THE PARLIAMENTARY UNDER SECRETARY (Colonel KING-HARMAN) (Kent, Isle of Thanet) (who replied) said: Letters were written by the Local Government Board to Local Authorities in 12 instances during the past two years, stating Messrs. Holmes, Greig, and Greig's terms, and in seven of these instances they were appointed. These gentlemen had acted as Parliamentary Agents for the Local Government Board in connection with Provisional Orders under the Labourers (Ireland) Act, 1883; and in consideration of the large number of Provisional Orders under that Act requiring confirmation they entered into special terms, similar to those indicated in the Question. The arrangement came to an end on the passing of the Labourers Act of 1885, the confirmation of Orders under the Labourers Acts being then no longer necessary. In the Session of 1885, complaints having been made by the Examiners in regard to the carriage of proceedings in connection with Provisional Orders made by the Local Government Board under the Public Health Act, 1878, and the arrangement with Messrs. Holmes, Greig, and Greig, under the Labourers Act of 1883, having worked satisfactorily, the Board, having ascertained from Messrs. Holmes that they were willing to renew their special terms, informed the Local Authorities concerned of these special terms, should they desire to employ the firm as their Parliamentary Agents. The Local Government Board are unable to say in what cases the allowance has been made, as the agents' accounts are furnished to the Local Authorities direct, nor are they aware whether the taxing master knew of the arrangement. The Board presume that the benefit of the deduction was obtained in each case by the Local Authority, and no statement to the contrary was received by them from the Local Bodies concerned. No person connected with the Local Government Board Department received, so far as the Board are aware, any payment or allowance, direct or indirect, in regard to any of these transactions.

LICENSING LAWS — EXTENSION OF HOURS ON JUBILEE NIGHT.

MAJOR RASCH (Essex, S.E.) asked the Secretary of State for the Home Department, Whether, as a summons has been issued against the landlord of the London Tavern, Southend, for keeping his house open on Jubilee night after 11 P.M., the notice given on the 20th June, giving permission for extension of hours till 2 A.M., should not be taken as generally applicable to the Metropolitan Counties?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Secretary of State has no power in this matter. The magistrate in every place must deal with every summons individually; and he cannot absolve a licensed person from his legal liability because his neighbour has obtained an extension of hours. The action of the Chief Commissioner was confined to the Metropolitan Police District, for which he is the authority.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Has the Chief Commissioner any legal authority to give such a notice?

MR. MATTHEWS: I think I must ask for Notice of that Question; and it is one that had better be addressed to the Attorney General as a question of law.

SIR WILFRID LAWSON: Then I will give Notice, and address the Attorney General.

THE ROYAL TITLES—THE INDIAN TITLES.

MR. HOWELL (Bethnal Green, N.E.) asked the Secretary of State for the Home Department, Whether the letter addressed by Her Majesty to the "women of Great Britain and Ireland," dated Windsor Castle, 22nd June, 1887, and signed by her Majesty with the initials of Her Indian title, is in accordance with the solemn undertaking given in Parliament when that title was conferred, to the effect that it was intended as an Indian title and should "not be used elsewhere," and that the title should "be localized in India?"

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The letter of the Queen was addressed to the subscribers to the Women's Jubilee Fund, among whom, I understand, were comprised subscribers of £1,000 in Ceylon and of over £1,000 in Burmah, from women of both the European and Native races.

MR. CONYBEARE (Cornwall, Camborne): Is the Home Secretary aware that the letter was addressed to "The women of Great Britain and Ireland," and said nothing whatever either of Ceylon or Burmah?

MR. HOWELL: A further question arises out of this, whether Her Majesty is not in the habit of using the initial of her Indian title in her ordinary correspondence?

MR. MATTHEWS: I am not aware of that.

MR. HOWELL said, that he would call attention to the matter on the first convenient opportunity.

LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS.

MR. ATHERLEY-JONES (Durham, N.W.) asked the Secretary of State for the Home Department, Whether, in accordance with the intention he intimated to the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), he has made further inquiry into the case of Miss Cass; and, if so, what the result of such inquiry may be?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The hon. and learned Gentleman has mistaken the answer I gave on the 1st instant to the right hon. Gentleman the Member for West Birmingham, to whom I stated that I was unwilling to institute an inquisitorial inquiry into the conduct and character of Miss Cass. In my judgment it would be highly inexpedient that any Government Department should undertake such a task, which they have no right and no legal power to perform. Miss Cass has various legal remedies against the policeman who arrested her, and every assistance that the law permits will be given her to pursue those remedies.

MR. JOHNSTON (Belfast, S.): Will the right hon. Gentleman institute an inquiry into the conduct of the constable?

MR. CONYBEARE (Cornwall, Camborne): Is this the same constable who, as reported in to-day's papers, gave testimony in connection with the supposed seditious riot in Hyde Park?

MR. MATTHEWS: I am not in the least aware of the cases in which the

constable has been engaged. [*Cries of* "Johnston's Question!"] The hon. Member for South Belfast has asked me whether I would direct a police inquiry. ["No!"] Well, an inquiry into the conduct of the police. ["No!"] At present no complaint has been made to any of the Police Authorities. ["Oh!"] I hope hon. Gentlemen will allow me to state the facts as they occurred. No complaint, that I am aware of, has been made to any of the Police Authorities. If complaint is made I have no doubt that the Chief Commissioner of Police will act on it, provided that any evidence is laid before him showing that an inquiry is necessary.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the right hon. Gentleman whether he is aware that Miss Cass and her friends have addressed a formal complaint to the Chief Commissioner of Police?

MR. MATTHEWS: I have made inquiries on that point this morning, because I understood from the newspapers that something of the kind had taken place. The Chief Commissioner informed me, an hour ago, that the document had not then reached him, and he is not aware of any complaint having been made.

MR. CONYBEARE: May I ask what the position of the right hon. Gentleman is? I understood that when the question was first brought forward he said that he would not grant an inquiry; but then, in answer to the right hon. Member for West Birmingham (Mr. J. Chamberlain) he said he would grant one. [Mr. MATTHEWS: No!] Will the right hon. Gentleman grant an inquiry, or will he not?

MR. MATTHEWS: I have already said that it is not in my power to institute an inquiry. I have no legal right to inquire into the conduct of people outside my own Office, or outside my own immediate Department. [*Cries of* "Inquiry as to the police!"] I am not asked for an inquiry into the conduct of the police, but into the conduct of Miss Cass. [*Cries of* "Yes; the police!"] I have already said that any complaint as to the conduct ofthe police addressed to the Police Authorities will be dealt with in the usual manner.

MR. LABOUCHERE (Northampton): Will that "usual manner" include an inquiry into the conduct of this particular policeman?

MR. MATTHEWS: I am afraid that I cannot tell the hon. Gentleman in what manner the Chief Commissioner of Police will inquire into the conduct of his subordinates; but I think it would be this, so far as I know. If the complaint is one of mere trivial breach of Regulations and Ordinances, the Chief Commissioner reprimands, or acquits, according to the circumstances. If, on the other hand, the complaint against a police officer involves anything of a criminal nature, it is the invariable practice of the Chief Commissioner to refer the matter to a police magistrate, who is the properly legally constituted authority to deal with criminal charges. I do not know that it would be regular—and that, I am sure, hon. Members of the House will see—for the Government to decide on complaints of this sort, which really amount to a charge of perjury. I feel that it is only proper that I should abstain from saying one word, one way or the other, in respect to the charge. There are the legal means for inquiring into the charge; and I again say that, on the part of the Home Department, every facility will be given for proper inquiry; but I am sure that it would be improper for me to say one word on either side, to take anything for granted, or to give anything in the nature of a legal opinion.

MR. ATHERLEY-JONES: The original Question that I put to the right hon. Gentleman, and upon which I understood his promise was founded, was mainly with reference to the conduct of the police magistrate. Therefore, I now ask whether the conduct of the magistrate will obtain any consideration whatever?

MR. MATTHEWS: I do not think I could take upon myself to order an inquiry into the conduct of the police magistrate, who holds a judicial position entirely independent of me or any other Executive officer.

MR. HANDEL COSSHAM (Bristol, E.): Does not the character of a respectable girl deserve consideration?

MR. MATTHEWS: Yes; the character of any young girl deserves the highest consideration; but I have no machinery at my command, and no legal power, to enable me to ascertain what that character is.

MR. H. GARDNER (Essex, Saffron Walden): Will the right hon. Gentleman give the police constable an opportunity of clearing his character from the charge of perjury?

MR. T. W. RUSSELL (Tyrone, S.) Is it not possible to raise the whole question in Supply on the Vote for the salary of the police magistrate?

[No reply.]

WESTMINSTER ABBEY—THE CORONATION CHAIR OF EDWARD I.

SIR THOMAS ESMONDE (Dublin Co., S.) asked the First Commissioner of Works, If it is a fact that the missing portions of the Coronation Chair have been replaced with new work, the new parts painted brown, and the whole varnished with brown varnish; and, if so, whether the old painting and gilding of the Chair have been injured; and, who is responsible for this restoration?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): It is true, as I have already stated to the House, that certain missing portions of the Coronation Chair were, for the purposes of the recent ceremony, of necessity replaced by new work; but this was very carefully arranged, so that they could be again removed without any damage to the Chair, and they have been so removed. It is true, also, that a considerable portion of the Chair was slightly darkened with colour. On that point I was in error when I last spoke. That, too, was done so as to be easily capable of being undone; and the chair is now, both as to substance and colour, exactly as it was before it was given into my charge. There is no change whatever in the structure or the colour. I am glad to have this opportunity of assuring the House and the public that, after communications with the Dean of Westminster and the President of the Society of Antiquaries, I am so fortunate as to be able to state that they are well satisfied with the careful manner in which the monuments and the structure of the Abbey have been treated by the Office of Works. The hon. Baronet asks me who is responsible? Well, Sir, of course, I am responsible, and solely responsible, to this House for whatever has been done; but I am bound in justice to say that the whole of the credit is due to the permanent officials of my Department, and especially to my surveyor, Mr. Taylor, whose able and unremitting labours I cannot too highly commend.

MR. BRADLAUGH (Northampton) asked, whether, as a matter of fact, the Coronation Chair was not covered with a dark brown stain composed of gum and spirit; whether the decoration had not suffered from that staining; whether the stain was not rubbed off in the Abbey on Saturday last by the workmen pouring a large quantity of methylated spirit on the Chair, and then rubbing it off with their aprons until they were remonstrated with; and whether this process did not occur in the presence of several persons, one of them being the hon. Member for South Durham.

MR. PLUNKET: This is the most remarkable instance of trying to make a storm in a tea cup that I ever heard of. The Chair is in exactly the same condition as to form, substance, and colour, as it was when it came into my charge.

WAR OFFICE—THE JUBILEE INSPECTION AT ALDERSHOT.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for War, Whether he will issue an Order limiting the time that the troops will be kept on parade at the Jubilee Inspection; if he will issue an Order allowing the men to carry their water bottles filled with water; and, if he is aware that, at the Inspection at Aldershot last week by the Duke of Cambridge, the troops were kept seven hours on the parade ground, under a hot sun, and without their water bottles?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Orders have been already issued that the troops on parade on Saturday next shall be kept under arms for a limited time only, and that they shall carry filled water bottles.

MR. CUNNINGHAME GRAHAM said, that the right hon. Gentleman had not answered the latter part of his Question. It was whether he was aware that, at the inspection at Aldershot last week by the Duke of Cambridge, the troops were kept seven hours on the parade ground under a hot sun, and without their water bottles?

MR. E. STANHOPE: I have no information of what happened at the Review in question; but I am quite

sure that His Royal Highness the Commander-in-Chief is much too fond of the Army to be likely to expose any of the men under his command to any unnecessary hardship.

MR. CUNNINGHAME GRAHAM: I am glad to hear of His Royal Highness's love for his men; but beg to give Notice that I will repeat the Question.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—GOVERNMENT SUBVENTION OF £50,000 — THE RIVER ROBE.

MR. J. F. X. O'BRIEN (Mayo, S.) asked Mr. Chancellor of the Exchequer, Whether, in the drainage scheme, for which the sum of £50,000 has been set aside, that portion of the River Robe between Crossboyne and Curaghadin, in South Mayo, will be included; the portion of the River referred to is about one and a-half miles long, and is one of the unfinished works of the Irish Board of Works?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square), in reply, said, there was no intention of including the River Robe in the scheme for expending a certain sum of money on arterial drainage in Ireland. Such expenditure would be confined to those rivers specially recommended for a grant from Imperial Funds by the Royal Commission.

EGYPT—THE ANGLO-EGYPTIAN CONVENTION.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, Whether the Egyptian Convention has yet been ratified by the Sultan; and, if it has been ratified, whether any subsidiary agreement or explanatory Note has been, or is to be, added to the Convention on the part of Her Majesty?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): As far as Her Majesty's Government are informed, the Turkish Convention has not been ratified by the Sultan. Of course, if the Convention should lapse there would be no subsidiary agreement; and in no event would there be any Note altering the sense of the principal Instrument, or imposing any burden or obligation on this country. Although the extended period for ratification has expired, Her Majesty's Government are very desirous of fulfilling their intentions towards His Imperial Majesty the Sultan and the Powers, and would not refuse to accept the ratification were it to be tendered before the departure of Her Majesty's Special Commissioner, which, in any case, will take place within a few days. He is instructed to leave in the course of the present week.

MR. BRYCE: Do I understand the right hon. Gentleman to mean that the Sultan has been given an extended period until the end of this week for ratification?

SIR JAMES FERGUSSON: I did not intend to convey that any extended period for ratification had been agreed to by Her Majesty's Government. That period expired yesterday; but in the event of the ratification of the Sultan being tendered during the few days that must elapse before Her Majesty's Special Commissioner can take his departure Her Majesty's Government would be prepared to accept it.

MR. DILLON (Mayo, E.): Will the right hon. Baronet state to the House definitely on what day this extended period will come to an end, and after what day the ratification will not be accepted?

SIR JAMES FERGUSSON: The House will hardly expect me to give a more definite account of the matter than I have already given.

ADMIRALTY — ORDER IN COUNCIL, 1853—A SPECIAL PENSION.

MR. ESSLEMONT (Aberdeen, E.) asked the First Lord of the Admiralty, Whether it is the case that in 1853, by Order in Council, the Government of the day issued placards promising a pension of 6*d.* a-day to men joining Her Majesty's Navy for 10 consecutive years from that time, and if said pension can now be granted for this service on application to the Admiralty?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The Regulations issued in 1853 are that—

> "Their Lordships reserve to themselves a discretionary power of awarding pensions of 6*d.* a-day each after 10 years' service, from the age of 18."

Although this Rule is still in force no man can claim the pension as his right; and it is only in very exceptional cases that it has been granted.

PIERS AND HARBOURS (IRELAND)—TRALEE AND FENIT HARBOUR COMMISSIONERS.

MR. EDWARD HARRINGTON (Kerry, W.) asked the Secretary to the Board of Trade, What is the extent of control of his Department over the Tralee and Fenit Pier and Harbour Commissioners; whether any irregularities by that Body, other than financial, will be noticed by the Board of Trade; under what provision of the incorporating Act Mr. M'Cowen, junior, was coopted, on the 24th ultimo, by two votes, one of them being that of his father, the chairman; who is the Board of Trade nominee on the Board of Commissioners, and, who are the other members of that Body?

THE SECRETARY (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The control of the Board of Trade over the Tralee and Fenit Pier and Harbour Commissioners is specified in "The Tralee and Fenit Harbour Order, 1880," confirmed by Parliament in the same year. On reference to that Order the hon. Member will see that the Board can exercise control with respect to works below high-water mark, to revision of rates, to accounts and bye-laws, to the exhibition of lights during construction of works, &c. The Board can also appoint one Commissioner and a permanent auditor of the accounts. The Board can only notice such irregularities as they have power to control. Provision is made in Section 2 of the Order for the appointment of certain *ex officio* and other Commissioners, not exceeding 11 in number; but I am not aware under which class of Commissioners the gentleman named in the hon. Member's Question comes. Mr. Charles E. Leahy, of Tralee, is the appointee of the Board of Trade; but I have no information as to who are now the other Commissioners.

MR. EDWARD HARRINGTON: Will the hon. Gentleman inform me whether the auditor of the Board of Trade is expected to report any irregularities other than financial irregularities; and also would he, as a Minister of the Crown, say, in answer to a Member of the House, whether it is within his knowledge what Department of the Government has control over any irregularities which may be committed by the Tralee Harbour Commissioners if not the Board of Trade?

BARON HENRY DE WORMS: I must have Notice of the Question.

WAR OFFICE—HONORARY COLONELS—SIR PERTAB SINGH—PRINCE HENRY OF BATTENBERG.

MR. LABOUCHERE (Northampton) asked the Secretary of State for War, Whether, in view of the fact that on June 21 H.R.H. Prince Henry of Battenberg was gazetted the rank of Lieutenant-Colonel in the Army, and that on the same date Maharajah Dhijay Sir Pertab Singh, Bahadur, was gazetted the honorary rank of Lieutenant-Colonel in the Army, he will state what is the difference between a Lieutenant-Colonel and an Honorary Lieutenant-Colonel, and what is the precise present position of H.R.H. Prince Henry of Battenberg in the Army?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Prince Henry of Battenberg was appointed a Lieutenant-Colonel in the Army. He receives no pay; but is available for employment. The rank conferred on Sir Pertab Singh was purely honorary, and as such does not give the holder any status for military employment.

MR. CONYBEARE (Cornwall, Camborne): Has Prince Henry of Battenberg passed any qualifying examination?

MR. E. STANHOPE: No, Sir.

MR. LABOUCHERE: May I ask, whether, in the event of Prince Henry of Battenberg being employed, he would receive pay; and, also, whether, after his appointment in *The Gazette*, it is open at any time to the Minister for War or the Commander-in-Chief to give him employment?

MR. E. STANHOPE: So far as I know, there is no intention of giving His Royal Highness any active employment whatever.

CIVIL SERVICE WRITERS—THE LOWER DIVISION—PROMOTION.

MR. LAWSON (St. Pancras, W.) asked the Secretary to the Treasury, Whether a large number of Civil Service Writers have been strongly recommended by the Heads of Public Departments for promotion to permanent clerkships under

the terms of the Treasury Minute of December last; and, if so, whether he can inform the House on what grounds and by whose authority a competitive examination, open to the general public, is announced to be held shortly for 54 such clerkships; and, if so, whether he will give directions for suspending the said examination, and fill the vacancies by the promotion of 54 writers from among those recommended by the Heads of Offices?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): A certain number of copyists have been recommended for promotion to the Lower Division, and their cases are under consideration. The notice for the forthcoming examination for Lower Division clerkships was issued by the Civil Service Commissioners with the approval of the Treasury. One of the three usual annual examinations for the Lower Division has already been dispensed with, and it would be inexpedient to postpone another such examination.

IRISH LAND LAW BILL—PURCHASERS OF TITHE-RENT CHARGE.

SIR JOHN LUBBOCK (London University) asked the First Lord of the Treasury, Whether the Government will introduce clauses into the Irish Land Law Bill dealing with those who purchased tithe rent-charges under the Church Act of 1869, as they propose to do with those who have purchased under the Act of 1870?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) in reply, said, the Government did not propose to introduce clauses into the Irish Land Law Bill dealing with the purchasers of tithe-rent charges under the Church Act of 1869. No case had, in their judgment, been made for any interference with the contracts which were entered into by the purchasers of tithe-rent charges under that Act.

PARLIAMENTARY ELECTIONS—INTERFERENCE OF PEERS AT ELECTIONS.

SIR WILFRID LAWSON (Cumberland, Cockermouth) asked the First Lord of the Treasury, Whether his attention had been called to the report of a statement by the Earl of Pembroke, that he would do his best to secure a good candidate for South Wilts; and, whether, in view of the Sessional Order prohibiting the interference of Peers in Parliamentary Elections, he intends to take any action in the matter?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Sessional Order to which the hon. Baronet draws attention prohibits the interference of Peers' in elections; but I am not aware that any election for South Wilts is now in progress. Under these circumstances, I do not see that any breach of the Order has been committed; and I am unable to promise to take any action in regard to what may not occur.

LAW AND JUSTICE—DISCONTINUANCE OF ASSIZES FOR CIVIL BUSINESS IN CERTAIN COUNTY TOWNS.

SIR WALTER B. BARTTELOT (Sussex, N.W.) asked the First Lord of the Treasury, Whether he will declare that before any Order in Council, with regard to the discontinuing the holding of Assizes for civil business at county towns where such Assizes have hitherto been held, is submitted to Her Majesty the Queen, he will give the House an opportunity of discussing such Order?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have already informed my hon. and gallant Friend that the procedure with reference to Orders in Council under the Judicature Act was laid down by Parliament itself. It might be inconvenient if I were to give any general pledge that every Order in Council would be laid before Parliament for discussion, whether there is or is not a Statute requiring that it should be so laid. I will undertake, however, that before any considerable change of the kind referred to in the Question comes into operation, notice will be given to Parliament and the country.

DISTRESSED UNIONS (IRELAND) BILL.

MR. DILLON (Mayo, E.): I wish to ask a Question of the Chief Secretary to the Lord Lieutenant of Ireland, and in order to put the Question I must say a word or two in explanation. There was a Memorandum circulated yesterday by the Chief Secretary which appears to be of a somewhat irregular character, as it takes the form of a speech in favour of the Bill now before the House, and was circulated along with the Bill. The Question I want to put is this—Where

we are to look for the authorities in reference to the facts stated as to the amount of money granted to distressed Unions in Ireland mentioned in this Bill, and in the shape of loans and grants mentioned in this Memorandum?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The hon. Gentleman must be in error in stating that the Memorandum was circulated with the Bill. That is not so; but as I introduced this Bill at a late hour on Friday night last, I thought it would be to the convenience of hon. Members if I put on paper the views as to the objects of the measure which are generally embodied in a speech on the introduction of a Bill, and it was simply for their convenience that I made the Memorandum. It was placed in the Lobby for any Gentleman to look at who so desired. With regard to the facts for the authority of which the hon. Gentleman asks me, I have obtained them from the Departments concerned.

IRISH LAND LAW BILL.

MR. DILLON (Mayo, E.): May I ask the First Lord of the Treasury, Where copies of the Irish Land Law Bill can be obtained, as the supply from the Vote Office has been stopped?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I was not aware of that fact; but I have no doubt the authorities at the House will see that ample provision is made for the supply of copies to hon. Members.

MR. BRADLAUGH (Northampton): May I ask the right hon. Gentleman is not the reason given for the stoppage that there has been some change in the Bill since it was delivered to Members?

MR. W. H. SMITH: I am not aware; but I will inquire into the circumstances.

BUSINESS OF THE HOUSE.

MR. MUNDELLA (Sheffield, Brightside) asked the First Lord of the Treasury, If he could state when the Vice President of the Council would make his Statement on the Education Estimates?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he was not in a position to say now when the Statement would be made; but he would be able to answer the Question if it were repeated on Thursday.

MR. BARTLEY (Islington, N.) asked, when the Post Office Bill would be introduced to enable sales of Consols in small sums to take place?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he knew of no Bill which was going to be introduced for the purpose stated by his hon. Friend. There was power at present for the sale of Consols in small amounts.

MR. BARTLEY asked, whether the Postmaster General contemplated giving any answer to a Memorial signed by 150 Members of that House urging that the Post Office should sell Consols in smaller sums than at present, a power which they understood the right hon. Gentleman was going to embody in a Bill in the course of the present Session?

MR. GOSCHEN said, he had seen a Bill which had been drafted by the Post Office; but that was not the main object of the measure. He would undertake to confer with the Postmaster General on the subject.

PARLIAMENTARY ELECTIONS (SEAMEN'S VOTE) BILL.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the First Lord of the Treasury, Whether he was aware that at half-past 3 o'clock that morning, in the absence of every Cabinet Minister, the Government were pledged to accept the second reading of a Bill—the Parliamentary Elections (Seamen's Vote) Bill—which practically repealed the Ballot Act, so far as seamen and sailors were concerned; and, whether, having regard to the statement which the right hon. Gentleman made in demanding the whole time of the House for Public Business, the House was to understand that the Government would confine their support to those measures which were on the Paper as Government Bills, and would discourage these small attempts to alter the constitution of the country?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) said, he really was not aware of the facts stated by the right hon. Gentleman. There was a period when it was necessary even

for a Cabinet Minister to retire from the House, especially when he had been at work since 8 o'clock in the morning, as was his own case yesterday. The right hon. Gentleman was very well aware that it was not in the power of a Minister to prevent an independent Member from availing himself of an opportunity which he found to push forward a measure in which he himself had confidence. He would inquire into the circumstances of the case.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): What I want to know is this—Does the Government support the Bill?

MR. TOMLINSON (Preston): It is a very good Bill.

MR. W. H. SMITH: I really know nothing of the circumstances. It is only reasonable that one should have some Notice of a Question of this character. I have not looked at the Bill; but I will inform right hon. Gentlemen opposite whether the Government do, or do not, support the Bill when a proper opportunity is afforded when the adjourned debate comes on.

MR. HENRY H. FOWLER said, he might state, for the information of the House, that the Under Secretary of State for the Home Department (Mr. Stuart-Wortley) had intimated that, subject to certain alterations, the Government were prepared to accept the second reading; and if a few Members had not been watchful at that late hour the second reading would have been carried.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam): It is true that, subject to certain Amendments which I demanded, and which the hon. Member in charge of the Bill (Mr. Atkinson) did not promise to insert, I said we saw no objection to the Bill.

TRUCK BILL.

In reply to Mr. BRADLAUGH (Northampton),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that later in the week he hoped to be able to state the arrangements that would be made for the further consideration of the Truck Bill.

MOTION.

NEW RULES OF PROCEDURE (1882)—RULE 2 (ADJOURNMENT OF THE HOUSE).

LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS.

MR. ATHERLEY-JONES, Member for the North-Western Division of the County of Durham, rose in his place and asked leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely, the circumstances connected with the arrest of Miss Cass in Regent Street.

MR. SPEAKER: The hon. Gentleman desires to move the adjournment of the House for the purpose of calling attention to a definite matter of urgent public importance—namely, the circumstances connected with the arrest of Miss Cass in Regent Street. Is it your pleasure that leave be given?

The pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than Forty Members having accordingly risen:—

MR. ATHERLEY-JONES said: I do not think any apology is necessary to hon. Members of this House for calling attention to a subject in which the proper administration of justice and the liberty of the subject are so remarkably identified as they are in the case to which I have the honour of drawing attention. It is not my intention to do more than to lay before the House a simple narrative of the facts, and I shall not attempt by any adventitious aids whatever to enlist sympathy or support. I must say that I very much regret the necessity for bringing on this matter. I certainly was under a complete misapprehension, in common with almost every person with whom I have spoken, as to the answer which was given by the right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews). I did understand that when the right hon. Gentleman the Member for West Birmingham (Mr. Joseph Chamberlain) put a Question to him that he intimated his will-

ingness to grant further inquiry. I also felt that the right hon. Gentleman gave me a very peremptory and off-hand refusal. But, Sir, I did think that the question was one in which such deep public interest was taken—an interest not confined to the Members of the Liberal Party, but extending to all Parties and sections of the community—that it would be well if the right hon. Gentleman had given a clear and definite answer as to the intentions of the Government with reference thereto, which intentions, I thought, were to institute a thorough and an impartial inquiry. With regard to the facts of the case: Miss Cass is a young woman who has only recently—within the last six weeks—arrived in the South of England. She has lived all her life in Stockton, in the County of Durham, and has borne an absolutely irreproachable character. Some six weeks ago, with her late employer—a Mr. Tomkins—who carried on a large business as a draper in Stockton, she came up to London, and she at once set about for the purpose of obtaining employment in the trade which she had previously carried on as a dressmaker. Some three weeks ago she obtained employment with Mrs. Bowman, who lives at No. 19, Southampton Row. Now, I must also tell the House that Mrs. Bowman is a person of irreproachable character. I was favoured with a visit from the Vicar of the parish in which Mrs. Bowman lived, and he informed me that he had known Mrs. Bowman for a period of some seven years; that she was a constant attendant at his church; that he had frequent opportunities of seeing her and of understanding her character; and that he was perfectly satisfied that she possessed the highest moral character. I only mention this with reference to Mrs. Bowman, because there is not the slightest doubt that some aspersions were also cast upon the character of Mrs. Bowman by the police officer. Miss Cass, who had been about three weeks in the employment of Mrs. Bowman, and who had not been outside the house at night previously except on one occasion—and then only to a distance of a few yards for the purpose of posting a letter—Miss Cass, at about half-past 8 on Coronation night, went out for the purpose of making some small purchases. She walked down some back streets into Tottenham Court Road, paid a call at a friend's house, whom she found out, and then walked along Regent Street for the purpose of going to Jay's to make a purchase. There was a considerable number of persons about, owing to the fact of its being Coronation night. Finding Jay's shop closed, she was threading her way through the crowd from Jay's in order to go to some other shop, when suddenly she was seized by a constable, and dragged off to the Tottenham Court Road Police Station. She, of course, was very much surprised at this treatment by the police constable; in fact, she informed me—and I can assure hon. Members I have taken every means for the purpose of ascertaining the true facts in connection with this case—that she thought the constable was really doing what he did more in joke than anything else. But he informed her that he was going to charge her—a perfectly innocent and a perfectly moral girl—with solicitation and prostitution. She was taken to the police station, and I have seen the charge sheet in which her name was entered. She was entered in the charge-sheet as "a common prostitute." The police constable stated at the police station that he had seen her on several previous occasions about the streets soliciting gentlemen, in the same manner as on the night on which he alleged she had committed the offence with which she was charged. Having been charged, she was confined to the cell in the usual course, and no complaint can be made about that. Then the same police officer who arrested her called at Mrs. Bowman's establishment. He called Mrs. Bowman out of her house, and informed her that a young woman who was lodging with her had been taken up for prostitution in the streets. I will not enter into particulars as to what was actually said; but I would ask the right hon. Gentleman the Home Secretary—if he will condescend to do so—to pay attention to this matter. It is a matter in which great interest is taken by the inhabitants of the Metropolis generally, who feel that it is necessary that justice should be administered in the highest and the most proper manner. This police constable went to Mrs. Bowman's house, and, in the most offensive manner possible, informed her of the arrest of Miss Cass. Miss Cass was bailed out, and on the following morning she was

brought before the police magistrate. I wish at once to say this—that my complaint is not so much against the police constable. The police constable may have made a mistake. It is quite possible that he may have seen her before; but I am not at all satisfied that he had. But he stated that he had seen this young woman several times in Regent Street at night; and, as he swore to that, it points to the recklessness of the statement which he made. But the gravamen of my charge—and I am not going to shirk it—is against the right hon. Gentleman the Secretary of State for the Home Department, and against the police magistrate who in the first instance investigated this charge. The police constable was put into the box in the ordinary way, I suppose, to give evidence. He gave the evidence of which I have given the substance to the House already, and then the young woman was called upon for her reply. Her reply was what the House might well apprehend—one of indignant denial—and I think if hon. Members had seen the young woman as I have seen her they would be satisfied that she was not likely to be able to endure the torture—which undoubtedly she did endure—in that Police Court without succumbing in the way she did to the treatment which she received. Thereupon the magistrate asked—I believe he asked; I will do him the justice to say that—whether she called any witnesses? Her employer, Mrs. Bowman, came forward for the purpose of giving evidence. Now, I wish to draw the attention of the right hon. Gentleman the Home Secretary to something stated by him the other night. He stated, in answer to my Question when I originally put it, that this employer, Mrs. Bowman, did not give her evidence upon oath. It is perfectly true she did not. But the right hon. Gentleman knows perfectly well that, inasmuch as this young woman was not represented by either counsel or solicitor, it was the absolute duty of the police magistrate to afford Mrs. Bowman the opportunity of giving her evidence upon oath. There are experienced police magistrates sitting in this House, and I am perfectly certain that they will bear me out in that statement. I see the hon. Gentleman who worthily filled the position of Chief Magistrate of London (Sir Robert Fowler) bows his head to that statement. Mrs. Bowman volunteered a statement. She said—

"This young woman is in my service. She is a forewoman and dressmaker in my employment. She has never left my house at night, until last evening, during the three weeks she has been in my employment. I had an irreproachable character with her, and I know her to be a modest and a proper young person."

She further said—

"I am perfectly certain she was not out for an improper purpose."

I venture to think that the police magistrate, after that statement was made that this young woman was engaged in honest employment, ought to have been satisfied that she was not out for the purpose of solicitation. But, even if not, and if he thought it right to accept the *primâ facie* statement of the police constable, the very least he could have done was to have remanded the case for further evidence. But what did this police magistrate do? I do not like to trust myself to give an opinion as to what his conduct was. It speaks for itself. He said he believed she was out for the purpose of solicitation. His exact words were—"I believe she was out for an improper purpose," and then he went on to say this—

"If you are an honest girl, as you say you are, don't walk in Regent Street at night"

—let the House mark the time—9.30 p.m.—

"for if you do, the next time you are brought here you will be sent to prison or be fined after this caution."

Now, I wish to ask the right hon. Gentleman the Home Secretary whether he considers that that is language which it is right and proper for a judicial officer to use? I am a very humble member of the Profession to which the right hon. Gentleman belongs; but I say this, without fear of contradiction by any other member of that Profession—that when a charge of that kind is made, and that charge is negatived in the way in which that charge was negatived, and the magistrate, in the exercise of his discretion, chooses to discharge the person accused, he has no right whatever to send out that person with a brand upon her character. I am not afraid of the issue I have raised. I blame the right hon. Gentleman opposite, and I blame him in common with the inhabitants of this Metropolis. I blame him for this—when the Question was put to him the right hon. Gentleman said that he con-

sidered the evidence conclusive. I do not complain of the treatment which I and others received; but I am grateful to the right hon. Gentleman the Member for West Birmingham for enabling me to bring the matter before the House. I understood the right hon. Gentleman the Home Secretary to say, in answer to my right hon. Friend, that he considered the evidence of the police constable was conclusive. [Mr. MATTHEWS dissented.] The right hon. Gentleman shakes his head. For my own part—I have not *Hansard* by me—I certainly understood the right hon. Gentleman to say that in answer to the Question. Now, the evidence of the police constable was totally uncorroborated. It was given not merely without a particle of corroboration, but with the most complete traverse that could be given to it in a case of that kind—namely, that the young woman bore a most respectable character. Those are the facts of the case which I have had the honour of laying before the House; and I venture to submit to the right hon. Gentleman the Home Secretary that, holding the responsible position he does, it is his duty to see that justice is done. He sits in this House for the purpose of enabling grievances of this character to be redressed, and it is idle and futile on his part to say that he has not the machinery at hand in order to visit with punishment or correct the blunders of those who have been guilty of a breach of duty. I beg to tell him he has that machinery at his command. He is the statutory head of the Police Force of the Metropolis; he can direct and see that an inquiry is instituted, and that a policeman, if he has exceeded his duty, is punished. Nay, more, it is within his province, and it is his duty also, if a magistrate has exceeded his duty, to bring the matter before the Lord Chancellor. He says this young woman has her legal remedy. What is her legal remedy? I wonder the right hon. Gentleman dares to say that. Her legal remedy is to bring an action against the police constable. She can go through the farce of that procedure with the delay inseparable therefrom, and then the judgment would be absolutely fruitless. There are others far abler than myself who might have brought this matter forward, but they did not do so; and, therefore, as a very humble Member of the House, notwithstanding the discouragement I received in certain quarters, I felt it my duty to press this matter, and I sincerely hope it will lead to something more than a reprimand—to some proper punishment being visited upon those who have been guilty of such an outrageous excess of duty, and to something like an efficient organization of the police of this great Metropolis. Since this case has arisen, I have received many communications from all parts of the Metropolis in regard to very great grievances connected with the administration of justice in the Metropolis; and when one comes to consider the stereotyped routine and machinery of the Police Courts—the same magistrates, the same superintendents, the same inspectors, the same family arrangements, as it were—I think it would be well if some change were made by which the exercise of greater independence could be ensured on the part of the magistrates. It may be thought, perhaps, because I am a Radical, that I take an extreme view of the matter; but that such is not the case is abundantly proved by the correspondence I have received. I have long thought that the police magistrates of the Metropolis do not compare favourably with many, even, of the "great unpaid;" and I do hope that the complaint which has been made in this case will meet with some consideration on the part of the right hon. Gentleman the Home Secretary, and that this House will resolve to maintain its traditions and its character as the vindicator and administrator of justice throughout the Realm. I beg to move the adjournment of the House.

MR. DODDS (Stockton): I rise to second the Motion. Having been in the country I only heard of this case this afternoon, and that my hon. and learned Friend the Member for North-West Durham (Mr. Atherley-Jones) was about to bring it forward, when I felt anxious to second the Motion, in order that I might bear testimony to the character this girl bore before she came to London. I know her father, who was engaged in the Malleable Iron-works in the town she came from, and was the leader of the band connected with those works. I have often seen him in the discharge of his duty there. I know that all his family are respect-

able, and I know that the occupation which this young woman followed before she came to town was one of the most respectable character. She was in the employment of Messrs. Carver and Co., one of the most respectable establishments in the Kingdom. The firm employed a large number of dressmakers, under the supervision of a person who might very well be described as a gentlewoman; and everything that went on in the establishment was of a most respectable and proper character. I am sure that anyone employed by that firm, who was suspected of the slightest levity, would be forced to leave at once. I have not yet been able to ascertain, but I believe, that the young women employed in that establishment belong to an association known as the Girls' Friendly Society; and I also know that they are among the most well-behaved young women in Stockton. At the time that Miss Cass left that establishment she was known to be a proper and modest person. When Miss Cass left that establishment she went to Mr. Thompson's, another firm of great respectability, and not one word was heard against her character. As the House has heard the whole of the circumstances respecting this case from my hon. and learned Friend, I feel that I should not be justified in going into it now at any length. As the Representative of the town of Stockton, in which this young girl spent the whole of her life, and in which she was known as a respectable girl until she left there five or six weeks ago, I do not think I should be justified in sitting still and hearing the circumstances detailed as they have been by the hon. and learned Member without urging, in the strongest possible manner, that the right hon. Gentleman the Home Secretary should give that attention to the case which the hon. and learned Member has suggested, and see that this young woman should have full redress for the injury which has been done her, though she will always have the recollection of that fearful night spent in the police cell under circumstances such as have been detailed by my hon. and learned Friend.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Atherley-Jones.*)

Mr. Dodds

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): I am not surprised, Mr. Speaker, at the warmth, if I may say so, of the hon. and learned Member for North-West Durham (Mr. Atherley-Jones), and the hon. Member for Stockton (Mr. Dodds). Of course, from their point of view, free as they are from all "shackles" in expressing their judgment on the facts of the case, it is beyond all question that this young woman, Miss Cass, has received a terrible and almost irremediable injury. I can perfectly understand that in their position, as I say, of "unshackled" freedom they should desire to express indignation on the subject; but I cannot help feeling that I am scarcely free—and I hardly think that the House of Commons, looking upon it as a corporate body, is free—to pass any judgment upon the circumstances of the case, which are still, in the "broad" sense, *sub judice.* [*Cries of* "How?"] I will tell you how when you have finished. When I was first addressed a Question on this subject, no doubt the proceedings before the magistrate had come to an end; but I knew nothing of it beyond the report I received from the magistrate, consisting of his own statements as to the "evidence" in the case. My answer, given in the first instance, and of which the hon. and learned Member for North-West Durham has complained, was simply a reproduction of the information I had so obtained; but, almost contemporaneously with these Questions being put to me, I could not disguise from myself that public feeling was aroused, and that in various quarters—I do not stop to inquire into the sources—allegations were made that the policeman upon whose evidence the magistrate had given his decision was guilty of perjury, and there were also comments on the conduct of the magistrate about which I do not think I can say anything. That is the difficulty I have in entering into this debate. In substance what the hon. and learned Member asked was that I should make some inquiry, and the hon. and learned Member, a little to my surprise, has repeated his charge that I do not institute, as he calls it, a thoroughly impartial inquiry. [*Cries of* "Hear, hear!" and "Why not?"] Now the hon. Member below the Gangway who interrupts me

should have condescended to indicate to me in what possible way I could institute a thoroughly impartial inquiry.

MR. ATHERLEY-JONES: May I interrupt the right hon. Gentleman to say that I have indicated—I pointed out—that he was at the head of the Police Force of the Metropolis; that it is in his power to cause a *quasi*-judicial inquiry to be held by the Commissioners of Police into the conduct of the constable; that it was also within his power, assuming the facts to be correct, to have brought the conduct of the police magistrate before the Lord Chancellor.

MR. MATTHEWS: Of course, I am perfectly aware it is in my power to direct the Commissioners of Police to inquire as to whether the police constable has exceeded his duty or not; but such an inquiry would necessarily be of the most unsatisfactory kind, because it would be a sort of departmental secret; in the second place, the evidence would be without the sanction of an oath; and, in the third place, it was an inquiry that would not exhaust the question whether or not the police constable had been guilty on a particular occasion of perjury, and I conceive that it would be highly unconstitutional for the Commissioners of Police to take upon themselves to convict any member of the Force of perjury.

MR. ATHERLEY-JONES: I have never suggested that.

MR. MATTHEWS: I do not think I am dealing unfairly with the hon. and learned Member's suggestion when he talks of an inquiry into a matter which involves what I have described. [MR ATHERLEY-JONES dissented.] The hon. and learned Member shakes his head; but I do not like even to allude to what was said by the constable for fear of being considered biassed one way or the other; but the evidence was of the character which is not to be explained by the theory set up in this case. I have not indicated the slightest opinion whether it is true or false. I have no right to do so, and I do not think it right to do so. But there is no escape from one or other of those conclusions. If anyone will take the trouble to read what was said "on oath" before the magistrate, either it was true or false. But what I will do is this—if a *primâ facie* case indicating a criminal offence or a grave violation of duty can be laid before the Commissioners of Police, my conception of what they ought to do, and what I ought to do to stimulate them, is this—not that they should decide the matter by means of a departmental inquiry, but do as had been in other cases—direct a prosecution to be instituted against the policeman. I have not said one syllable to indicate that I am not prepared to take that course. What I have steadfastly declined to do, and what I still decline to do on grounds perfectly Constitutional and legitimate, is to take upon myself jurisdiction which the law does not give me, and institute what the hon. and learned Member calls a *quasi*-judicial inquiry into a crime, and a crime of a very grave character. I think that to do so will be converting the Departments of the Government into amateur tribunals of a very unsatisfactory kind, because they could not take evidence on oath, and because they have no defined jurisdiction to deal with anything beyond the dismissal of the officer in fault. Those are the grounds upon which I proceeded, and not from any unwillingness to let punishment fall on any officer under my command. If the police constable has done wrong, I have not the slightest desire to shield him, because I feel the warmest sympathy for the young woman—assuming all the facts which the hon. and learned Member has stated to the House to be true. But the course proposed by the hon. Member is quite novel, and, if adopted, will involve consequences disastrous to the public. This case has excited public sympathy; but it is constantly happening in other Courts throughout the country that persons are unjustly accused and convicted of crime. I may be wrong; but, of course, I will bow to the criticism of the hon. and learned Member for North-West Durham if he says I am wrong. But if once this House lays down the doctrine that it is my duty to make myself a Court of Appeal, to see that justice is properly and directly administered in every case, whether tried by a magistrate or a jury, you will certainly be enlarging what I think is the most unsatisfactory part of the duties of the Home Secretary—namely, those relating to the prerogative of mercy, in a way which, I think, is not to the public benefit or advantage. The hon. and learned Member calls upon me to review not only the evidence given on oath before a judicial

tribunal, but the decision of the magistrate, and to say that the witness who gave such evidence has given false testimony, and that the magistrate, who expressed the opinion that the evidence had convinced him, was a person who had not only neglected his duty, but had gone beyond it. I venture to say with confidence that the Constitution has vested no such privilege in the Secretary of State, and in the responsible position which I fill it would be improper for me to express the opinion I might entertain about the conduct of the magistrate or the conduct of the witnesses. It is no part of my right to visit with official censure and reprimand the conduct of witnesses who have given their testimony on oath, or the Judges who have accepted or rejected that testimony. To assume in my official capacity the right of passing criticism of that kind on the legally constituted tribunals, and still more to hold a thorough and impartial inquiry by such machinery as is in my possession, to pass judgment on a witness who may be tried for perjury, and thereby to prejudice his case before it comes before the tribunals of the country, would be to usurp functions which would be very dangerous. Can the hon. and learned Member doubt that some further legal proceedings are likely to arise out of this case? Miss Cass has civil remedies at her disposal, and may resort to criminal proceedings. One or other proceeding of the kind is extremely likely to arise; but surely the hon. and learned Member does not seriously offer the advice that it will be proper or right for me, as a responsible Minister of the Crown and the Head of a Department, to prejudice those proceedings beforehand by passing judgment on either the policeman, the young woman, or the magistrate? Were I to do anything of the sort, I should be grossly departing from my duty. I also think that the House of Commons is not a fitting tribunal for an investigation of the kind. There are legal modes, both civil and criminal, for reviewing the decision of the magistrate, and I hope that one or other of those modes will be resorted to. So far from being an obstacle to this end, I will afford every assistance which the law permits me to give to Miss Cass in order to vindicate her character, and the policeman to defend himself from the charge brought against him. But I trust that my action will always be kept within the limits which the law imposes upon me.

MR. JOSEPH CHAMBERLAIN (Birmingham, W.): One statement made by the right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews) will, I think, be accepted as satisfactory by the House, so far, at all events, as one part of this case is concerned. I understood him to say that if a *primâ facie* case could be laid before the Commissioners of Police he would take care that in that case the matter was subjected to further and judicial inquiry. [MR. MATTHEWS assented.] I confess that, so far as the conduct of the police constable is concerned, that appears to me to be a satisfactory statement. I would, however, ask the right hon. Gentleman whether he does not think that a sufficient *primâ facie* case has already been made out in the speech of the hon. and learned Member for North-West Durham (Mr. Atherley-Jones), and in the statement of facts which have been laid before the House by my hon. Friend the Member for Stockton (Mr. Dodds)? The right hon. Gentleman appeared to think that Miss Cass must wait for vindication of her character until this judicial injuiry should be held. That this girl should remain under the stigma unnecessarily and unjustly inflicted upon her by the police magistrate sitting in court is unfair and wrong, without, at all events, some opportunity being afforded her, through her friends, to explain the circumstances under which she had been brought into this position. My hon. and learned Friend the Member for North-West Durham has stated very clearly and fairly the facts as they have been proved, but he omitted one or two which seem to me to give additional force to his argument. The police constable stated distinctly that he had seen Miss Cass solicit three men one after another in Regent Street. He said that he knew her to be a bad character, and that he had seen her in a similar occupation on three previous occasions during the last six weeks, and especially that he had seen her in Regent Street and Portland Place the night before for three quarters of an hour. I have seen the young woman's employer, whose moral character and great respectability are

vouched for by the Vicar of the parish in which she has resided for 18 years, and I have seen the young woman, and, as a matter of fact, I learnt that the girl was not out of the house the night before; and, consequently, it was really impossible that the policeman could have seen what he said he saw. So far from its being the fact that she had been in Regent Street on this business on a previous occasion, she had only been in Regent Street once before in the whole course of her life, and had only been in London for a period of two months, the greater part of which time she had passed either in Trinity Square in the Borough, or at Manor Farm in the suburbs. Therefore, it was absolutely certain that if these statements by independent witnesses are true, either the policeman has committed perjury or made a mistake as to the identity of the person. I submit that the right hon. Gentleman the Home Secretary ought not to take it for granted that the only charge against the policeman is one of deliberate perjury, because it is possible that the constable might have taken the wrong person into custody. But there is one suspicious fact which leads to a conclusion in an opposite direction. The constable said, in order to bring the charge within the limits of the Act of Parliament, that he had heard one gentleman say—"It was very hard that he should be spoken to three times in the course of half-an-hour in Regent Street." That did not seem to me, when I first heard it, to bear on the face of it the mark of genuineness. But still more suspicious was the circumstance that the very next day, in the very same court, another policeman brought up another woman charged before the magistrate, and he likewise explained that he had heard a gentleman say—"It was very hard that he should be accosted three times in Regent Street within half-an-hour." So that the words appear to be a sort of police formula, and I consider that they ought to be received with the gravest possible suspicion. I do not want to prejudge the case of the policeman. Possibly he might have been merely guilty of an error of judgment as to identity; but I confidently pronounce the opinion that a girl of whose antecedents so much is known, and about whom so much has been so conclusively proved, was not likely to be found in a situation such a that of which the police accused her; and when we add to that the evident discrepancy in the policeman's evidence it is almost certain that a grievous wrong has been done, which I am very glad to think that this debate will do much to repair. Now I come to the conduct of the police magistrate. I must say I should have thought that any man sitting in the seat of justice, having before him on the one hand a police officer accustomed to give evidence in matters of this kind, and having on the other hand a young girl for the first time in her life in a police court, undefended by any professional assistance, would have felt it his duty to protect her, or, at all events, to have secured the fullest possible opportunity to bring out any defence she might have to make to the charge. Instead of that, what did he do? He asked her rudely what she had to say for herself, and when she has said it he tells her he does not believe her. He is rude, and something more than rude, to the witness called on her behalf, who turns out to be a perfectly respectable woman, and a householder with a business; he winds up by saying that he did not believe her story, but believed that the girl had been guilty of improper conduct, and although he discharged her he advised her not again to go into Regent Street at night and address herself to gentlemen. I confess that I think Mr. Newton ought, at all events, to be called upon, in his own interests, to explain his conduct on this occasion. I myself sympathize, and I am sure the House sympathizes, with the right hon. Gentleman the Home Secretary, who, in his official capacity, did not feel justified in making free criticism upon the action of the police magistrate. On this side of the House, fortunately, we are independent and can make criticisms. If it should turn out, as I am confident it will, when the further judicial inquiry is made, as promised, that this grievous wrong has been done, then I think it would be our duty to ask a further Question of the right hon. Gentleman the Home Secretary, with the view of ascertaining whether he would not think it his duty to bring the conduct of Mr. Newton to the cognizance of the Lord Chancellor.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight):

The right hon. Gentleman the Member for West Birmingham (Mr. Joseph Chamberlain) has made, as might have been expected, a very powerful speech indeed against the policeman. I admit that if any hon. Member of the House has certain facts placed before him, and feels himself justified in accepting them as accurate, it is not unnatural that he should make such an appeal as has been made in this matter. But the House has to consider what is the real position of this case. No doubt, the hon. and learned Member for North-West Durham (Mr. Atherley-Jones) and the hon. Member for Stockton (Mr. Dodds) have acted upon information which they implicitly believe, as does also the right hon. Gentleman the Member for West Birmingham; but, if the substantial facts are such as have been alleged, it is hardly possible to conceive that the police constable has made a mistake as to the identity of the accused person in this case. If hon. Gentlemen study the evidence, they will see that there could not have been any mistake of that kind, and that if the police constable's statement is untrue it is a case of wilful perjury. It seems to me that the only effective remedy that can take place in this case is to have a further judicial inquiry. I must say that if these facts are put in writing and laid before the Commissioners of Police or the right hon. Gentleman the Home Secretary, they will establish a substantial *primâ facie* case; and it would, in my opinion, be the duty of those in authority to see that some steps were taken for further investigation. It was not, I respectfully submit, quite a fair thing to attack the right hon. Gentleman the Home Secretary because he has not at once himself directed further inquiry, when, on consideration, the only proper and satisfactory inquiry is that there should be an opportunity of seeing whether or not this constable has been guilty of perjury. Of course, I myself do not express the slightest opinion upon the merits of the case, for it would be wrong if I did; but, so far as I do express an opinion, I would say that if the statements made are in accordance with fact, then, no doubt, there ought to be an inquiry so far as the policeman is concerned. On the other hand, no one should prejudge the constable, who might be an officer of considerable standing and many years in the Police Force. The proper course to be taken is that hon. Gentlemen who honestly and properly feel that this is a case requiring further investigation should put the statement in writing, giving the names of witnesses, and, if possible, their signatures, so that they could put before the right hon. Gentleman the Home Secretary, or the Commissioner of Police, the case thus prepared, with the view to its being seen what steps should be taken for a further inquiry. But for the House to turn itself into a Court of Appeal in respect of matters such as this, when they can only act upon the information brought before them, is much to be deprecated. I suggest that this matter should be put in the most formal and distinct shape for the authorities, and then the responsibility of either refusing or directing a prosecution would rest with those authorities. The right hon. Gentleman the Member for West Birmingham said that the magistrate had treated rudely, if not discourteously, a witness who appeared before him. I myself have no knowledge of the way in which the magistrate has acted in that respect, and I must speak with caution on a question of that kind. I cannot, in my position, pretend to criticize his conduct. It must not be forgotten that Mr. Newton has sat for a great many years on the Bench—I believe 30 years—and, so far as I know, I do not think that he has in any way discharged his duty unsatisfactorily to the public. Therefore, the House ought not to prejudge him. I agree that the right hon. Gentleman opposite (Mr. Joseph Chamberlain) is free in this matter, and is perfectly entitled to express, and justified in expressing, his opinion on information which he believes warrants him in making the statements we have heard; but I must point out that, if this is a matter in which the magistrate has exceeded his duty in such a way as is deserving of reprimand, it can be brought before the Lord Chancellor, because a magistrate holds office during Her Majesty's pleasure. It does not depend upon the responsibility of the Home Secretary to take the initiative, but it does depend upon the responsibility of any independent gentleman who has sufficient materials before him to justify him in taking so serious and responsible a

step as bringing the conduct of a police magistrate before the proper authorities. It would be very wrong of a Gentleman in the position of the Home Secretary in this House, where the police magistrate cannot give an explanation, to pronounce final judgment. I submit that the House has not got the proper materials on which to express a final and conclusive opinion, and it would be assuming a function which I do not think would be in the interests of the House if they were to arrive at such an opinion. I hope and trust that, as far as the police constable is concerned, the matter will be put before the authorities; but, as regards the police magistrate, I ask, in fairness, that the House should suspend its judgment as to his conduct until he has had an opportunity of giving an explanation.

MR. CAINE (Barrow-in-Furness): Sir, this is the first time since I have been a Member of the House that I have ever risen in response to an invitation to adjourn the House. On this occasion I rise because no more scandalous and disgraceful episode in the history of the police in London has ever been brought before the House. I am glad to think that it is the intention of the Home Office to institute a careful and rigorous inquiry into the conduct of the police constable, and also into the conduct of the police magistrate. ["No, no!"] I certainly understood that it was the intention of the Home Secretary to institute an inquiry into the conduct of the magistrate as well, and I think that it is quite as important as an inquiry into the conduct of the police constable. I do not know that I have ever seen anything more disgraceful on the part of a police magistrate than that he should tell a young woman who had been brought before him, and who had been discharged by him, that if she was again found walking in Regent Street after half-past 9 she must expect to be suspected of prostitution and solicitation. Is it come to this—that the condition of the Home Office and of the Police Force is such that a decent girl cannot walk out after half-past 9 o'clock at night and breathe the fresh air without running the risk of being taken up before a magistrate and perhaps ruined for life? I know something about this matter. I know very well, in relation to young women coming to London for domestic service, that these cases are frequent, and for one case brought to light there are 50 cases where young women are ruined by the police in this manner, and who, for shame and other reasons, do not make it known that they have been subjected to this treatment. The real fact is that this particular incident is only a sign of what I know exists in the police system of the Metropolis. Blackmail is levied by the police on women who pursue this unfortunate trade all over the Metropolis. I have spoken to 30 unfortunate girls on Clapham Common, near which I reside, and every one of them have accused the police of charging 6*d*. a-night to allow them to ply their trade in that particular district. If the Home Secretary will take the trouble to probe this matter to the bottom, he will find this practice exists in almost every place to which these women resort. I hope that the right hon. Gentleman will be the first Home Secretary to take this matter to heart, and to relieve the Home Office of the stigma that the leading thoroughfares of the Metropolis are not safe for decent women and for decent men, when they are going about their decent and law-abiding avocations.

MR. CHILDERS (Edinburgh, S.): I do not stand in the same position as some of the previous speakers on this side of the House, because, although I can speak as an independent Member, I cannot forget that I recently held Office as Home Secretary; and it would, therefore, be wrong for me to use strong language, or to approach the matter in anything but a judicial frame of mind. With respect to the police constable, I think that the statement of the Attorney General ought to be satisfactory to the House. What I understood the hon. and learned Gentleman to say was that if proper representations were made either to the Home Secretary or to the Commissioners of Police, giving the facts by persons whose conduct had been referred to, the Home Secretary would direct an inquiry, or the Commissioners of Police would, on their own responsibility, direct an inquiry if a *primâ facie* case had been made out against the policeman, and would direct a prosecution.

SIR RICHARD WEBSTER: That was exactly what I said.

MR. CHILDERS: Undoubtedly, then, a *primâ facie* case has been made out by

the declarations which have been made in this House.

SIR RICHARD WEBSTER: Pardon me; I should like to explain. The Director of Public Prosecutions has frequently similar cases laid before him, and he makes inquiries of the witnesses as to whether there was a *primâ facie* case. That is the kind of inquiry which should be made.

MR. CHILDERS: The hon. and learned Member and myself are quite agreed. I presume that a written statement embodying what hon. Members have said will be made by witnesses and laid before either the Home Secretary or the Commissioners of Police; and then, as undoubtedly there is a *primâ facie* case, the conduct of the policeman will be tried in the proper manner, and justice will be done. As to the magistrate, I am bound to say that, while not for a moment concluding whether he did or did not do a very unfortunate—nay, a very blamable—thing, no doubt his conduct will have to be dealt with by the Lord Chancellor, and the only question is at what time and in what manner. I do not think it possible that it could be dealt with at the same moment as the conduct of the policeman is being inquired into. I think that the interests of justice will be best observed if, when the Commissioners of Police have taken the proceedings which there is no doubt will now be taken with regard to the constable, and when the matter has been properly brought before the Court the conduct of the magistrate is dealt with. During the inquiry into the proceedings of the constable, statements may be made which may seriously implicate the magistrate—I do not say that such statements will be made, but they may—and I conceive that it would be then the duty of the Home Secretary to bring the whole conduct of the magistrate under the notice of the Lord Chancellor, and it would be incumbent upon the Lord Chancellor to deal with the case of Mr. Newton in the same way as that of any other magistrate. That appears to me to be the regular and precise course to follow. By no means let the magistrate escape, because if he is the offender he is the worst offender. If this course be followed substantial justice will be done both to the policeman and the magistrate.

SIR ROBERT FOWLER (London): I think the hon. and learned Member for North-West Durham (Mr. Atherley-Jones) and the hon. Member for Stockton (Mr. Dodds) have very properly vindicated the character of this unfortunate girl. I do hope, however, that, in their sympathy for this young woman, the House will not forget the enormity of the evil which exists in our midst. It should be borne in mind that some of the streets of London are a positive disgrace. I cannot but feel a good deal of sympathy with the magistrate in his endeavour to purify the thoroughfares of the filth which unquestionably prevails there. His action in this case seems to be regarded as a mistake by many Members; but, at the same time, I hope that their sympathy with the girl will not prevent them from appreciating the very great evil which the Legislature has to contend with in dealing with the whole question.

MR. JACOB BRIGHT (Manchester, S.W.): The Home Secretary frankly admitted that such cases as these are constantly occurring. He speaks with authority, and no doubt what he said was perfectly true; but it seems to me that it is the business of Parliament to make it impossible for those cases to happen. The discussion so far has been on the administration of the law; but nothing short of an alteration of the law can prevent such cases from occurring. If it be the law that a woman's character can be destroyed at any moment by the uncorroborated testimony of a policeman, I say that the law is in a disgraceful condition, and I should like to hear the Government express a willingness to bring about a change in the law which would give greater security to women who pass about the streets. I suppose I am correct in saying that no man is ever arrested for an offence of this kind, and yet everybody knows that men solicit as well as women, and if it were possible for men to be brought into court and fined, or sent to prison, on the evidence of a single constable, this House would very soon alter the law. It is the duty of the Government to make such a change in the law as this case shows to be necessary.

MR. HENRY H. FOWLER (Wolverhampton, E.): I quite agree with the Attorney General that the proper course

to be taken is to have an inquiry; but I should like to point out that the other night the Home Secretary positively refused, in reply to an hon. Gentleman, to institute any inquiry. I heard the Home Secretary distinctly say "No," in reply to the Question whether he would institute an inquiry into this case; and it was not until my right hon. Friend the Member for West Birmingham (Mr. Chamberlain) intervened that another view seemed to come over the Home Secretary. I submit that it was the duty of the Home Secretary to institute an inquiry without the interference of the House at all. The conception which the right hon. Gentleman seems to have of his Office is out of harmony with precedent, and is not the view entertained by the people of this country of the functions of the Home Secretary. There is no Court of Criminal Appeal in England, although there ought to be one. The Home Secretary is responsible for the administration of justice to the House of Commons; and the right hon. Gentleman knows quite well that the Home Office has again and again reversed the decisions of Judges and juries by releasing prisoners who have been improperly convicted. But not only is the Home Secretary responsible as having the supervision over all the London magistrates—he is also responsible for the whole of the Metropolitan Police. Has the right hon. Gentleman never heard of the Watch Committees which exist in all our great cities except in London, and does he not know that investigations before Watch Committees into the conduct of the police are of most frequent occurrence, and that the *quasi*-judicial inquiries which the right hon. Gentleman deprecates so much are thus constantly taking place? In London this duty is cast upon the Home Secretary, and he is bound to discharge it. The Home Secretary said that the young woman in this case had no complaint, inasmuch as she was not convicted. That is true. But the complaint is, that she was unjustly slandered from the Bench. The magistrate heard the evidence of the policeman on oath, and did not believe it. Had he believed it he would have convicted the defendant. But having decided that he did not believe the policeman, he thereupon turned to the girl, and said, practically, "Not guilty; but do not do it again." It was a most regrettable incident, and the magistrate was betrayed into the use of very unfortunate language. An important point which presents itself for consideration in connection with the case is the similarity of interests, so to speak, which spring up between magistrates and the police when magistrates remain for so many years in the same Police Courts. It would greatly promote the administration of justice if every magistrate in London were to move from Court to Court. If there could be a little more circulation of that kind magistrates would not be hearing constantly the same policemen giving evidence. I hope this matter will not be referred to any Directors of Public Prosecutions. What the House of Commons wants is a distinct pledge that there shall be a complete inquiry into the case; and, unless we get that pledge, I hope my hon. Friend will go to a Division.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I think the right hon. Gentleman is going a little further than he is at all justified in asking for a distinct pledge on matters which are not at the present moment brought in such a manner before the Secretary of State as would justify him in giving a distinct pledge. What the Attorney General has undertaken to do is to secure that, if the statements which have been made in this House can be reduced to writing, and are sufficient to justify the serious inquiry which would have to be undertaken on those allegations, then forthwith the proper officer shall be put in motion, and the inquiry shall take place. The right hon. Gentleman has treated the matter as if it simply concerned the character of the young woman charged. There are very much more important issues in the case. As the Attorney General said just now, it cannot be a question of mistake. Either the statement of the policeman must be wilful and corrupt perjury, or it must have been true. Greatly as we are moved by sympathy with Miss Cass, we must take care that we do justice to all persons concerned; and we must not be led away by a most generous and right feeling into taking steps which may be attended with very serious injustice to other persons. Under these circumstances, it is necessary that the allegations made in this House, which are not

evidence, should be reduced to writing, and placed before the proper authorities, who will proceed in the manner in which they will alone be justified in proceeding in a case of this great gravity. If these charges are brought before the knowledge of the Secretary of State, or the Chief Commissioner of Police, we undertake that justice shall be done under the circumstances. We undertake to set the machinery in motion which will secure the judicial tribunals of our country, and secure that justice shall be done. That, I think, disposes of the case of the policeman, and of Miss Cass. Charges were made against my right hon. Friend the Home Secretary for having refused an inquiry. The demand is that he should inquire into the character of Miss Cass. [*Cries of* "No!"] That is the impression left in our minds; and I think the Home Secretary was right in saying that, so far as Miss Cass was concerned, he would not be justified in making an inquiry.

LORD RANDOLPH CHURCHILL (Paddington, S.): He is going to make it now.

MR. W. H. SMITH: No; not into the character of Miss Cass. We are going to submit statements in the nature of evidence to a judicial tribunal, and ascertain whether or not the policeman has committed wilful and corrupt perjury. I agree with the view of the right hon. Member for Edinburgh (Mr. Childers) as to what he said as to the duties of the Home Secretary with respect to police magistrates, and I think an explanation, at least, is required from the magistrate in this case. The question arises when that explanation shall be demanded from him. I think it would be more conducive to the public interest that that explanation should not be demanded till the further investigation to which I have referred has taken place. I hope the Motion before the House will be withdrawn. The hon. Gentleman, I opine, has gained his object, and the House cannot decide whether the constable has committed perjury or not; nor has the time arrived for coming to a decision upon the conduct of the police magistrate. The hon. Member for Barrow (Mr. Caine) has made allegations with regard to the conduct of the police from, as he said, his own knowledge. Now, any citizen who is aware of any misconduct on the part of the police will only be doing his duty, and no less than his duty, in bringing those facts, sustained by any evidence in his power, before the proper authorities.

MR. CAINE: I will do so.

MR. W. H. SMITH: But it is hardly sufficient to make general allegations of the kind.

MR. CAINE: I made particular allegations as well as general.

MR. W. H. SMITH: Then will my hon. Friend be so good as to put his statements into writing with regard to individuals, names, times, and circumstances, so as to put it into the power of the Commissioner of Police to make inquiry? What we want is such statements of facts in cases of this kind as will enable the authorities to take steps to maintain the good order, conduct, and discipline of the Force which is necessary to the peace and security of the Metropolis, and undoubtedly may from time to time be betrayed into gross irregularities. Under all the circumstances, I think the hon. Gentleman has obtained every object he desires by bringing the matter before the House, and I hope that the Motion will be withdrawn.

MR. PICKERSGILL (Bethnal Green, S.W.): I do not rise for the purpose of prolonging the debate, but to explain that the inquiry into the conduct of the policeman which I suggested on Friday night, but which the Home Secretary rather curtly declined to grant, was a departmental inquiry. If as the result of such an inquiry a *primâ facie* case of perjury had been made out against the policeman, the Department, I suppose, would have instituted a prosecution. I am glad that the right hon. Gentleman the Home Secretary has at length agreed to grant the very same inquiry which I pressed upon his attention last week.

LORD RANDOLPH CHURCHILL (Paddington, S.): It seems to me that there has been some amount of what I may call pedantry in the attitude of the Home Secretary. If the contradiction of the First Lord of the Treasury to my interruption is correct, then the inquiry at once arises, what will be the value of the investigation which the Government are going to make? The Government say—"Under no circumstances whatever will we be induced to make an inquiry into the conduct of Miss Cass, and we have no power to do so."

But they say that if the hon. Member for Durham reduces his allegations to writing, and lays them before the Home Secretary, or before the Commissioners of Police, they will inquire whether there is a *primâ facie* case for prosecuting the policeman for perjury. I want to know how on earth the Commissioners of Police can inquire as to whether the allegations of the hon. Member for Durham constia *primâ facie* case without examining Miss Cass and her friends? Does the First Lord of the Treasury wish the House to understand that in order that a *primâ facie* case should be made out only the policeman and the friends of the police are to be examined? Of course not. Very well. Then it follows that an inquiry into the conduct of Miss Cass is practically going to be made. If the Home Secretary had only possessed the logical mind I should have attributed to him as characteristic of the leading members of the Bar he would have been able to have saved the time of the House to the extent of at least two hours and a-half.

MR. MATTHEWS: What I always refused to make, what I to-day refuse to make, and I shall continue to refuse to make to the end of the chapter, is an inquiry of my own in which I shall be called upon to give a decision. That is what I have refused, because I have not the materials with which to do it, nor the jurisdiction, nor the power. What has been said to-day is—"If anybody—the hon. Member for Durham or anybody else—lays before the Director of Public Prosecutions, directly or indirectly, materials inducing him to think a proper case for prosecution is made out, then a Criminal Court shall make that inquiry and decide upon it." I have not changed my position in the least. I always intended to say that I am not competent to conduct an inquiry ending in a decision and a result. The opportunity will be readily afforded in this and every instance where there is a *primâ facie* case for some Criminal Court to decide.

MR. CHILDERS: As the First Lord of the Treasury has expressed his concurrence in my views as to the course which should be taken by the Home Secretary, I wish to repeat that the statements which have been made already in this House, if reduced to writing, constitute, in my opinion, a *primâ facie* case. I think the Home Secretary has taken off the edge of the First Lord's promise.

MR. T. W. RUSSELL (Tyrone, S.): Should the Vote for Mr. Newton's salary be reached before this inquiry is concluded I beg to say I shall oppose it. If we had had a little more of human sympathy and a little less of something else when this subject was first discussed, much valuable time would have been saved.

MR. PICTON (Leicester): There has been a tendency throughout the discussion to fasten the blame on the police constable in this matter. It is quite possible that this case may turn out one of mistaken identity, because it is hardly possible to conceive that a man would be so utterly vile as, without any object to serve, to bring a serious charge of the kind wantonly against a young woman. At the hearing before the magistrate the young woman ought to have been allowed to call her witnesses, even if her conduct in the street had been different from what it ought to have been. The magistrate was perfectly wrong in only hearing one side of the case; but, nevertheless, I hope that the inquiry will be prosecuted as one free from any prejudice.

MR. T. P. O'CONNOR (Liverpool, Scotland): I do not think this debate would have arisen at all but for the cynical levity with which the Home Secretary has treated the matter. Now that the indignation of the country and the intervention of the Liberal Unionists has brought the matter home, I will not say to the conscience, but to the political susceptibilities of the right hon. Gentleman, he grants us the inquiry which he formerly refused when the facts were just the same. The right hon. Gentleman had better learn that we live in a time when even the commonest person cannot be insulted with impunity by either the Home Secretary or a magistrate. I must offer my congratulations to the Dissentient Liberals that they have at last found a subject to the skirts of which they can definitely hold.

MR. SPEAKER: Order, order! That is not a definite matter of urgent public importance.

MR. T. P. O'CONNOR: I have said all I wanted to say, Sir.

MR. HENEAGE (Great Grimsby): I think, Sir, that whether or not the

policeman has committed perjury the magistrate has acted very improperly. He discharged the girl because he did not believe the evidence against her, and acknowledged that she was innocent, and yet he told her that if she came to that Court again he would convict her, no matter what the evidence was. In my opinion, the case of the magistrate has nothing whatever to do with that of the policeman, and it should not be left over till the latter has been tried. If the matter were going to be put off until the investigation promised by the Home Secretary has been concluded, there is a likelihood of its being forgotten. I wish to know whether magistrates in the Metropolis are liable, like those in the country, to have their notes sent for by the Home Secretary on any legitimate complaint? I know that I have been obliged to produce my own.

MR. ATHERLEY-JONES: I must say I wished to withdraw the Motion for Adjournment; but after the very unsatisfactory assurances given by the Home Secretary, and the last observations he has addressed to the House, I think it my duty to take the sense of the House with respect to it.

Question put.

The House *divided*:—Ayes 153; Noes 148: Majority 5.

AYES.

Acland, A. H. D.
Asher, A.
Asquith, H. H.
Austin, J.
Barbour, W. B.
Barclay, J. W.
Bickford-Smith, W.
Biggar, J. G.
Blake, T.
Bright, W. L.
Broadhurst, H.
Bruce, hon. R. P.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Caine, W. S.
Cameron, C.
Cameron, J. M.
Campbell, H.
Chance, P. A.
Channing, F. A.
Cobb, H. P.
Coleridge, hon. B.
Collings, J.
Commins, A.
Connolly, L.
Conway, M.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Craig, J.
Craven, J.
Crawford, D.
Cremer, W. R.
Deasy, J.
Dillwyn, L. L.
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Fenwick, C.
Finucane, J.
Foljambe, C. G. S.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gardner, H.
Gill, T. P.
Gourley, E. T.
Grove, Sir T. F.
Haldane, R. B.
Harrington, E.
Harris, M.
Havelock-Allan, Sir H. M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Heneage, right hon. E.
Hingley, B.
Hooper, J.
Howard, J.
Howell, G.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Johnston, W.
Joicey, J.
Jordan, J.
Kennedy, E. J.
Kenny, M. J.
Lacaita, C. C.
Lalor, R.
Lane, W. J.
Lawson, H. L. W.
Leahy, J.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Lyell, L.
Lymington, Viscount
Mac Innes, M.
Mackintosh, C. F.
Mac Neill, J. G. S.
M'Arthur, A.
M'Cartan, M.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
Marum, E. M.
Mason, S.
Molloy, B. C.
Montagu, S.
Morgan, rt. hon. G. O.
Morley, rt. hon. J.
Morley, A.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P.
O'Brien, P. J.
O'Connor, A.
O'Connor, J. (Tipperary)
O'Connor, T. P.
O'Kelly, J.
Pease, Sir J. W.
Pease, A. E.
Pease, H. F.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, right hon. Sir L.
Plowden, Sir W. C.
Powell, W. R. H.
Power, P. J.
Priestley, B.
Pyne, J. D.
Quinn, T.
Redmond, J. E.
Redmond, W. H. K.
Reed, H. B.
Reynolds, W. J.
Roberts, J.
Robertson, E.
Robinson, T.
Roe, T.
Rowntree, J.
Russell, E. R.
Russell, T. W.
Sheehan, J. D.
Shirley, W. S.
Sinclair, W. P.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stansfeld, rt. hon. J.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Tuite, J.
Tyler, Sir H. W.
Verdin, R.
Wallace, R.
Wilson, H. J.
Winterbotham, A. B.
Woodhead, J.
Wright, C.

TELLERS.

Atherley-Jones, L.
Dodds, J.

NOES.

Agg-Gardner, J. T.
Ashmead-Bartlett, E.
Baden-Powell, G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Balfour, G. W.
Barnes, A.
Barttelot, Sir W. B.
Bates, Sir E.
Beach, W. W. B.
Beadel, W. J.
Bentinck, rt. hn. G. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bigwood, J.
Blundell, Col. H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brown, A. H.
Burghley, Lord
Caldwell, J.
Campbell, J. A.
Childers, right hon. H. C. E.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coghill, D. H.
Cooke, C. W. R.
Corbett, A. C.
Corry, Sir J. P.
Cranborne, Viscount

Cross, H. S.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dorington, Sir J. E.
Dugdale, J. S.
Duncan, Colonel F.
Dyke, rt. hn. Sir W. H.
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Elton, C. I.
Eyre, Colonel H.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Fitzgerald, R. U. P.
Fitz-Wygram, Gen. Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fulton, J. F.
Gathorne-Hardy, hon. J. S.
Gibson, J. G.
Gilliat, J. S.
Godson, A. F.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Greene, E.
Gunter, Colonel R.
Hankey, F. A.
Hardcastle, E.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Herbert, hon. S.
Hill, right hon. Lord A. W.
Holland, rt. hon. Sir H. T.
Houldsworth, W. H.
Howard, J. M.
Hozier, J. H. C.
Hubbard, E.
Hughes-Hallett, Col. F. C.
Isaacson, F. W.
Jackson, W. L.
Kennaway, Sir J. H.
Kenny, C. S.
Kimber, H.
King-Harman, right hon. Colonel E. R.
Knowles, L.
Lafone, A.
Lechmere, Sir E. A. H.
Lewisham, right hon Viscount
Llewellyn, E. H.
Long, W. H.
Lubbock, Sir J.
Macdonald, rt. hon. J. H. A.
Maclure, J. W.
Mallock, R.
Marriott, rt. hn. W. T.
Matthews, rt. hon. H.
Maxwell, Sir H. E.
Mayne, Admi. R. C.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morrison, W.
Mount, W. G.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Newark, Viscount
Norris, E. S.
Northcote, hon. H. S.
Parker, hon. F.
Pearce, W.
Penton, Captain F. T.
Plunket, rt. hn. D. R.
Powell, F. S.
Rankin, J.
Rasch, Major F. C.
Richardson, T.
Ritchie, rt. hon. C. T.
Robertson, J. P. B.
Robertson, W. T.
Round, J.
Royden, T. B.
Saunderson, Col. E. J.
Selwin-Ibbetson, right hon. Sir H. J.
Seton-Karr, H.
Sidebottom, T. H.
Smith, rt. hon. W. H.
Smith, A.
Stanley, E. J.
Stewart, M. J.
Sutherland, T.
Talbot, J. G.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, H. J.
Vincent, C. E. H.
Vivian, Sir H. H.
Watson, J.
Webster, Sir R. E.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Wodehouse, E. R.
Wood, N.
Wortley, C. B. Stuart-
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

House adjourned at ten minutes after Seven o'olock.

HOUSE OF COMMONS,

Wednesday, 6th July, 1887.

MINUTES.]—SUPPLY—*considered in Committee* — CIVIL SERVICE ESTIMATES; CLASS I. — PUBLIC WORKS AND BUILDINGS, Votes 5, 6, 8 to 12

PUBLIC BILLS — *Select Committee* — Stannaries Act (1869) Amendment * [147], Mr. Bickford-Smith *added*.

Withdrawn—Burial Grounds * [18].

PROVISIONAL ORDER BILLS — *Report* — Local Government (Ireland) (Ballyshannon, &c.) * [272]; Local Government (No. 7) * [282].

QUESTIONS.

LAW AND POLICE (METROPOLIS)—ARREST OF MISS CASS.

MR. W. L. BRIGHT (Stoke-upon-Trent) asked the Secretary of State for the Home Department, Whether the authorities have any record of blackmailing on the part of the police of the Metropolis; and, whether on certain occasions it has been found necessary to remove police constables in considerable numbers from the West-End to the East-End of London, where the opportunities for the practice are less frequent?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The Notice of this Question has been too short to enable me to obtain sufficient information to fully answer this Question. I have, however, just seen the present Chief Commissioner of Police, who informs me that since he has been in office there has been no case of blackmailing proved or recorded. He will make inquiry as to the past; and if the hon. Member will be good enough to repeat his Question, I will give him full information both as to the first and second part of the Question.

MR. W. L. BRIGHT said, he would put down the Question for to-morrow.

MR. MATTHEWS: I do not think to-morrow would give sufficient time.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I think it will be for the convenience of the House that I should state the course which the Government have thought it right to take under all the circumstances of the Division which took place yesterday. The Government

are under the impression that the House acted under some misconception last evening. There is no doubt whatever that it is the duty of the Government to institute an inquiry into the circumstances of the case, and to see that the inquiry shall be full and complete. The Lord Chancellor will call on Mr. Newton for an explanation of the proceedings in the case which formed the subject of debate last evening without any delay; and such further steps will be taken as will secure a complete and impartial inquiry into all the circumstances. It will be satisfactory to the House that I should make this statement, in order to assure hon. Members that the Government feel no less than any Member of the House the absolute importance of securing that the characters of persons who are accused shall be protected, as much as it is possible for them to be so, and that the police of the Metropolis, upon whom so much depends for maintaining the good order and security of this great city, shall also be placed under circumstances which will secure, as far as it is possible for administration to do, the complete rectitude of their proceedings under all conditions and at all times.

MR. HENRY H. FOWLER (Wolverhampton, E.): In order that there may be no misconception as to the course which the Government intend to pursue, I wish to ask whether we are to understand that the Government propose that this inquiry should be conducted by the Director of Public Prosecutions, with a view to seeing whether an indictment for perjury can be sustained. That, I understand, was the distinct issue on which the House voted last night. Do I understand from the right hon. Gentleman that there will be a full and proper inquiry instituted, under the direction of the Home Secretary, as Head of the Metropolitan Police, as to the conduct of the policeman in this case? I understand that, as a matter of course, the Lord Chancellor will deal with the magistrate; but what we want to know is, whether there will be an inquiry into the conduct of the policeman?

MR. W. H. SMITH: The course which the Government think it most advisable to pursue is, that the Lord Chancellor shall call upon the magistrate to give an explanation of all the proceedings in this case, and that when the Lord Chancellor has received that explanation such further steps shall be taken as will secure a full and impartial inquiry into the circumstances. Whether that course should be an inquiry conducted by the Secretary of State, or an inquiry taking the character of a prosecution, must depend upon such explanations as we receive; but no delay will take place, and no efforts will be left untried to make that inquiry impartial and complete. The right hon. Gentleman asks whether I will undertake that there should not be an indictment for perjury?

MR. HENRY H. FOWLER: No; I want to know whether the inquiry is to be simply an inquiry by the Director of Public Prosecutions, in order to see whether he thinks there should be an indictment for perjury?

MR. W. H. SMITH: We shall act in the matter upon our responsibility, in the manner we think most likely to secure a complete and impartial inquiry, and to arrive at the absolute truth in respect of all the circumstances of the case; but we must reserve our discretion as to the particular method by which we shall proceed, until we have more information on the subject than we possess at the present moment.

MR. ILLINGWORTH (Bradford, W.): I wish to ask, whether an inquiry into the conduct of the police is somehow or other to hang on the private inquiry to be instituted by the Lord Chancellor into the proceedings at the court? I think that we are entitled to have these questions kept entirely separate. I think it is held by the House, and will be held by the country, that the conduct of the policeman should be entirely distinct from that of the magistrate. It would be altogether unsatisfactory that this question should be shelved or postponed.

MR. W. H. SMITH: I wish to protest against the suggestion that we wish either to postpone or to shelve the question. Our object is to arrive at the truth with regard to both parts of this important inquiry. We simply say that we must ascertain first what the facts of the case are, and that we will then proceed with regard to the policeman and the magistrate as the ends of justice may seem to require. I can give no other undertaking to the House; but I can assure hon. Members that there is

no disposition to delay, nor the slightest intention of shelving the question.

MR. DODDS (Stockton): In the absence of the hon. and learned Member (Mr. Atherley-Jones), who moved the adjournment of the House yesterday, perhaps I may be permitted to say, as the Seconder of the Motion, that I deeply regret that the Government did not state yesterday the course they intended to take. However, it will be quite understood—["Order, order!"]

MR. SPEAKER: I must remind the hon. Member that there is no Question before the House.

MR. DODDS: If I am not allowed to address to the House the few words I have to say, I shall be under the necessity of moving the adjournment of the House. I merely desire to say that no inquiry will be satisfactory to Miss Cass and her friends which does not afford her an opportunity of completely vindicating her character as being, what I believe her to be, as innocent a young woman as any woman in London. Nothing less, I believe, will satisfy her and her friends, or the country.

MR. OSBORNE MORGAN (Denbighshire, E.): The right hon. Gentleman has not answered the question of the hon. Member for Bradford (Mr. Illingworth) as to whether the form and method of the second inquiry will depend on the result of the first?

MR. W. H. SMITH: I thought I did answer the question. I stated that we intended that the inquiry should be complete on both sides of the question presented, and immediate.

MR. PICKERSGILL (Bethnal Green, S.W.): It was understood last night on both sides of the House that the conduct of the police is entirely a distinct issue from that of the conduct of the magistrate. Under these circumstances, ought not the inquiry into the conduct of the police to proceed concurrently with the inquiry into the conduct of the magistrate?

MR. W. H. SMITH: I think I have given an engagement to the House. An inquiry shall be made without delay; and it will be carried out in the manner in which we may be advised by the most competent advisers will best serve the ends of justice.

MR. DILLON (Mayo, E.): May I ask the Government, whether, in view of the fact that the House has given the Government control over its time for the rest of the Session, they will take precautions in future against the repetition of such a scandalous waste of the time of the House as took place last night; and whether, with a view to that desirable end, he will, in future, make his statements as to the policy of the Government before and not after a Division?

MR. SPEAKER: Order, order!

MR. CLANCY (Dublin Co., N.): I wish to ask, whether, in view of the announcement the right hon. Gentleman has just made, it is intended to call on any Member of the Government to resign?

MR. SPEAKER: Order, order! The Clerk will now proceed to read the Orders of the Day.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £1,700, Gordon Monument.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £92,255, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Maintenance and Repair of Public Buildings in Great Britain, including various special Works; for providing the necessary supply of Water; for Rents of Houses hired for the accommodation of Public Departments, and Charges attendant thereon."

MR. SHAW LEFEVRE (Bradford, Central): I have to raise a question of some importance in reference to an item in this Vote which relates to the restoration and repair of the Tower of London. In order that I may raise the question in a regular manner, I propose to move the reduction of the Vote by the sum of £50. The House will recollect that for some years very important works have been proceeding in connection with the Tower of London. They were commenced about three years ago by the pulling down, in the first instance, of two large warehouses, which had been built there about 100 years ago, and which greatly disfigured, and almost hid, the White Tower from the River, the object being to replace the old external walls of the Tower. The estimate of the

expense of restoration was very moderate. There was in the Votes of last year a sum of £1,750 for this work of restoration. The money that was voted was not spent because some delay was experienced in pulling down the buildings to which I have referred. A few days ago I paid a visit to the Tower of London, and, to my surprise, I found that all the work of restoration had been stopped; and, on referring to the Estimate now before us, I find that there is no Vote for the continuance of the works this year. Therefore, I presume the Government have definitely abandoned the work to which I allude. Now, I think that if any hon. Member will visit the Tower of London and see what its present state is, he will admit that it is absolutely necessary to proceed with and complete the work of restoration. I found, on my visit there, that in consequence of the stoppage of the works, it had been found necessary to shore up the Wakefield Tower with timber. The Wakefield Tower, after the White Tower, is the most interesting portion of the Tower of London; and, in my opinion, it is nothing short of a scandal that the work should be left in the state in which it now is. In consequence of the demolition of the buildings which stood close to the Wakefield Tower, that tower itself has been left in a dangerous state, and the walls are exposed to injury from the action of the weather. As I have said, it has been found necessary to shore up the tower with timber, and to cover one part of it with tarpaulin; if that had not been done the tower would have been suffered to go to ruin, and the surface would have been seriously injured by exposure to the action of the weather. Now, it appears to me to be absolutely essential to the preservation of the Tower of London that these works should be carried out to their completion. I believe the original estimate of the work was £8,000; of this £5,500 has been spent, and for a sum of money something like £2,000 the whole can be completed. I may remind the House that when the work was commenced, three years ago, a model of what was intended to be done was placed in the tea-room of this House, where it was seen by hon. Members; but not a single objection was ever made to the work it was contemplated to undertake. Curiously enough, I find, on referring to the proceedings in Parliament, that, although hon. Members had an opportunity of seeing what the work was which was intended to be done, no objection whatever was made to the carrying out of this important undertaking. As far as the work has proceeded, everybody who has seen the Tower of London will admit that, now that the very unsightly buildings to which I have referred have been removed, and that the old walls extending to the Lanthorn Tower are being rebuilt, the restoration will, when completed, effect a very great improvement. The appearance of the Tower of London, as far as the work of restoration has been carried out, has been much improved; and I think it would be an unworthy act on the part of this House not to carry them out to their full completion. I, therefore, wish to ask the present First Commissioner of Works on what ground the Government have decided to abandon the works? Why it is that an item for the completion of the works is now omitted from this Estimate, and why is there no intention of proceeding with the work further? If the works have been abandoned on the ground of economy, I would point out the inconsistency of the Government in omitting an item which amounts to little more than £2,000, while, on the other hand, they have inserted an item of more than £2,000 for the decoration of Hyde Park Corner, in distinct contravention of the declaration which was made in this House some time ago, as I shall show later on when the Vote containing that item comes before the Committee. I would suggest to the Government that they should take a Vote for the Tower of London, and abandon that which they propose to take for the decoration of Hyde Park Corner.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): I rise to Order. This Vote does not apply to Hyde Park Corner.

THE CHAIRMAN: The right hon. Gentleman must confine his remarks to the Vote under discussion.

MR. SHAW LEFEVRE: I was merely, by way of illustration, pointing out that if the work of restoration in connection with the Tower of London has been stopped on the ground of economy, it is, nevertheless, proposed to waste a sum exactly equal in amount in

the unnecessary work of decorating Hyde Park Corner. All I wished to say was, that the Government might find an easy way of getting the money by cutting it off in another direction. I shall be able to show, when the other Votes come on, how that could be done. I maintain that it is not true economy to leave the Tower of London in its present state. It is obvious to anybody who takes the trouble to look at the work that it cannot possibly be left in its present condition, and that something must be done. It appears to me that it would be wise economy on the part of the Government to go on with the work of restoration; and I do not think these changes of policy which constantly take place when one Government comes in and another Government goes out with respect to works agreed upon by the House, is wise or proper. It has been thought generally that a Government coming into Office should carry out the work commenced by their Predecessors with the approval of Parliament, and commenced with the full knowledge and authority of the House of Commons. In this particular case there has been no difference of opinion upon the subject; no single objection has been made to the work, and the House of Commons had full knowledge of the intentions of the Government. The original scheme, however, appears to have been abandoned, and, in order that the matter may come fully within the knowledge of the House and the country, I beg to move that the Vote be reduced by the sum of £50, which is the item inserted for the repair of the Wakefield Tower, and is the sum, I presume, which is necessary for the shoring up of the Tower.

Motion made, and Question proposed,

"That the Item of £1,140, for Repairs in the Tower of London, be reduced by the sum of £50."—(*Mr. Shaw Lefevre.*)

MR. PLUNKET: The right hon. Gentleman has asked me two questions—namely, whether the Government have arrived at a determination to abandon the work of restoration in connection with the Tower of London, and what are the circumstances under which the sum which appeared in the Estimate last year has not been re-inserted this year. The first question of the right hon. Gentleman proceeds upon an assumption which is wholly unfounded. The Government have not decided to abandon the restoration of the Tower of London. I quite agree with the right hon. Gentleman that it is a work of great importance, and that when it is completed it will greatly improve the appearance of that part of London and will give a very fine view of the Tower itself, which is one of the most interesting buildings in this country. There has been no inclination on the part of the Department to stop the works; on the contrary, they have been pressed on by the First Commissioner of Works of the present Government, and by right hon. Gentlemen opposite until the end of last year. What occurred then was this. We were informed that it would not be possible to spend the sum of £1,750 which had been included in the Estimates, except so far as one branch of the work was concerned. The reason was, that when steps were taken to carry on the rebuilding of the wall to which the right hon. Gentleman has referred it was found impossible, for some time, to ascertain what the foundations of the old wall were; and, therefore, the work of restoration was not proceeded with until an investigation was made. It was then found that, in order to ascertain the lines of the old wall, it was necessary to throw down a house which, in comparatively recent times, had been built over it. That is the reason why the work of restoration were not presssed forward, and why the money voted last year has not been spent. We were informed, at the end of last December, that if the work was to be procceded with it would be necessary to revote a sum of £1,600, and also to ask for a further sum of £1,400, making altogether £3,000, for the purpose of carrying on the restoration of the old walls, and it was under these circumstances that the Treasury came to the conclusion not to abandon the rebuilding, but to hold the matter over for a short time without asking Parliament to vote the money now. In the meantime all possible precautions are being taken to secure the preservation of the old boundary walls. I can assure the right hon. Gentleman that he is not more anxious than I am myself to restore and preserve everything that remains of the Tower of London. I am also desirous of seeing the old Ballium wall and the rest of the works completely restored as soon as possible.

Mr. LABOUCHERE (Northampton). I presume the right hon. Gentleman the First Commissioner of Works thinks that the Government may be out of Office next year. He does not definitely state that the works have been dropped; but he seems to think it necessary to allow no Estimate to be taken for the completion of the work, so that the burden of the expenditure may possibly be thrown on the next Government, which the right hon. Gentleman seems to anticipate may be in Office in the course of next year. As far as I can gather from the remarks of the right hon. Gentleman, the only sum expended last year was £150; the sum voted was £1,750, so that there would be a balance of £1,600. I should like to know what has become of that balance. I have never yet succeeded in discovering what happens in regard to money voted by this House which is not used. Is it returned into the Treasury?

Mr. SHAW LEFEVRE: Yes; and never repaid.

Mr. LABOUCHERE: My right hon. Friend says that it is returned to the Treasury and never repaid. If that is so, I think this Estimate ought to be reduced by that amount.

The CHAIRMAN: I must point out to the hon. Gentleman that the discussion now taking place is altogether inappropriate to the Question before the Committee.

Mr. SHAW LEFEVRE: I am very glad to learn that the Government have not definitely abandoned the plan of restoring the Tower of London, but, under the circumstances, I cannot quite understand why the work has been deferred for a year. The work of restoration has been going on for two or three years, and why it should have been suddenly stopped when there was work actually in hand, and postponed for a year, I cannot imagine. In the meantime, it has been found necessary to shore up the Lanthorn Tower, and, in order to prevent injury by exposure to the weather, it has been covered over with tarpaulin. I venture to express a hope that the Government will go on with the work; and I think I shall be able to show, later in the day, good reasons why they should abandon other expenditure of a much more unwise character than this. I trust the Government will undertake the work as soon as possible, and I fail to see why it should be deferred for another year. I am satisfied that the action of the Government is not in the direction of true economy. I beg to withdraw the Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. BRADLAUGH (Northampton): As the right hon. Gentleman for Bradford (Mr. Shaw Lefevre) has withdrawn the Amendment, I will not trouble the Committee with the remarks I otherwise intended to make; but I would suggest that there can be no sort of economy in deferring something which Parliament has determined shall be done, and in the meantime shoreing up very old walls which must be injured by that kind of treatment, in addition to the expense which is thus unnecessarily incurred.

Mr. HENRY H. FOWLER (Wolverhampton, E.): I wish to ask my right hon. Friend the First Commissioner of Works for an explanation in reference to two or three items on page 22. The first is an item for sanitary improvements in the Public Offices—£3,000 on account; and then there is a statement indicating that the probable total cost will be £50,000. Three or four years ago a long debate took place in this House in reference to the sanitary condition of the Public Offices, and a very disgraceful state of things was then disclosed as to the manner in which the new Public Offices had been built, and provision for drainage made. The House was very much startled to find that it would take £30,000 to complete the drains and sewers of the Public Offices; and as we are now asked to sanction £50,000 for this purpose, I trust my right hon. Friend will give the Committee some explanation, so that we may put the saddle on the right horse, and prevent any person from being employed hereafter in the Public Service who can be shown to have been a party to the disgraceful manner in which the new Public Offices have been built. It certainly is a most extraordinary thing that we should have built new Public Offices, and then discover, immediately after their completion, that it required a sum of £50,000 to put them right. I also wish to have an explanation of an item of £5,687, of which £1,962 is a re-Vote, for the Royal Courts of Justice. I thought we

were coming to an end of our expenditure upon the New Courts of Justice; but it would appear that a sum of £10,000 is still to be spent, and we have not yet received any intimation as to what is intended to be done with the waste piece of ground adjoining the Courts. Then, again, there is an item for the maintenance and repair of the Chapter House at Westminster. I should like to know from my right hon. Friend whether the Chapter House is not part of the property of the Dean and Chapter, and whether it ought not to be repaired and maintained out of the Capitular Estates? I wish to know whether that is so, or whether the Chapter House at Westminster is under the control of the First Commissioner of Works?

MR. PLUNKET: As to the first question of my right hon. Friend in reference to the sanitary improvements in the Public Offices, it is quite true that the Estimate originally formed of what was required in order to carry out the sanitary improvements, which were felt to be so much required in 1880-1, was £30,000. Since then it has been found that for various reasons it would take a larger sum than that. In the first place, there has been a considerable addition to the buildings under the charge of my Department; and, in the second place, when the work was begun in 1880-1, it was only possible, of course, to make an approximate estimate to the cost. It has now been discovered that the drainage arrangements of the Public Offices are, to use the words of my right hon. Friend, in a disgraceful condition. It has been found necessary to undertake new works, and that is the only reason for this increase in the Estimate. The work is going on as rapidly as it can be done, and the only wonder is how the people who live in these offices got on as well as they did in buildings in such an insanitary condition. That is the explanation in regard to the first question of my right hon. Friend. His second question had reference to the Chapter House at Westminster. I may inform him that this is a building which the Crown is entitled to maintain, and the sum which appears in the Estimate is required for the heating apparatus which has been found necessary, owing to a deficiency in the existing arrangements.

MR. HENRY H. FOWLER: My right hon. Friend has not answered my question in reference to the Courts of Justice.

MR. PLUNKET: I do not think it is possible to say, at present, what will be done with the waste land my right hon. Friend referred to.

GENERAL SIR GEORGE BALFOUR (Kincardine): I wish to reiterate the objections I have in former years urged against this Vote, which I consider open to challenge in a higher degree than any other in the Civil Estimates. The mixing up of outlay on new buildings with charges for rent, water supply, and other items of current expenditure, is just as wrong as can be. The new buildings outlay represents capital invested in almost a permanent form, whereas the other charges leave nothing behind at the end of the year. The information about the buildings is defective, owing to this mixture of items. I hold that the Vote for new buildings should be separate, and this Vote should cover the charge for all new works in the United Kingdom. Then the expenditure in different years on the same work ought to be shown. The best form for this end is the Vote in the War Office Estimates. No doubt, more space would be needed for exhibiting the total charge for the Civil buildings; but this means great facilities for the Treasury and Members of Parliament to check this kind of charge. Indeed, with this fuller information, the preparation of the Estimates would be facilitated. I have do doubt that the present condensed information requires more labour to prepare than would be needed for the detailed form. There is also an item of £2,800 for rent of Dover House, Whitehall. To whom is the money to be paid?

SIR TREVOR LAWRENCE (Surrey, Reigate): I wish to ask whether some useful purpose cannot be found for the Whitehall Chapel? Though the amount in connection with it in the Vote—£45—is small, the maintenance of the building and the services in it cost a large sum altogether. The congregation, as many hon. Members may have seen, is ordinarily very small—fewer even than the number of Members in this House during the dinner hour, and there is no Division Bill to procure a larger attendance. Select preachers have spoken to me of the Chapel as the most melancholy

and disheartening place to conduct Divine Service in they have even seen, and the services are carried on in a careless and slovenly manner. I should be the last to oppose the use of the building as a chapel, if the attendance shows that it is wanted and valued for that purpose. But it is a very fine and valuable building architecturally, and in a fine position, and though unsuited for a church it may be used and be valuable for some public purpose, such as a museum.

MR. PLUNKET: With regard to the question which has been raised by my hon. Friend in reference to Whitehall Chapel, I am afraid it is a very large question indeed, and I think there would probably be a great deal of opposition to any proposal which might be made for utilizing it in any other way than that in which it is utilized at present. Therefore, I should not like to express an opinion upon the question now. No such proposal as that which has been made by my hon. Friend has, I think, ever been made before. My hon. Friend proposes that it should be used for some public purpose. I think that it would be utterly unfit for the use of any Government Office at all events.

SIR TREVOR LAWRENCE: I only suggested it.

MR. PLUNKET: I am sorry that I am unable to give any opinion upon the matter. In regard to the question of the hon. and gallant Member for Kincardine (General Sir George Balfour), he must be aware that this is not the time to discuss the Vote for the Secretary for Scotland. All I can say is that Dover House has been appropriated for the Department of the Secretary for Scotland; and I think that the office has given great satisfaction to all who have had to transact business there.

GENERAL SIR GEORGE BALFOUR: I also asked a question as to whether it is not possible to subject the miscellaneous Civil Estimates to the same ordeal upstairs as that which the Army and Navy Estimates are required to undergo; and whether the separate items may not be placed before us in a more complete form—showing what the total expenditure is under each separate head?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I will promise the hon. and gallant Member to consider the matter, and ascertain whether some more convenient plan cannot be adopted. I would, however, point out to him that there would be considerable objection to the carrying out of any alteration in the mode of presenting the Estimates to the House, unless some very good reason could be given for it. For the purposes of comparison, the value of the Estimates would be very much destroyed. I will, however, consider the point, which I admit to be one that very well deserves consideration.

MR. SHAW LEFEVRE: It appears to me that a rent of £2,800 a-year is a very large sum to pay for Dover House. I believe that the Scotch Department is an extremely small one, and I think that it might have been housed for a very much less figure. The present Government, however, are not responsible for the arrangement, which is due, I believe, to their Predecessors.

MR. HENRY H. FOWLER: That is not so.

MR. SHAW LEFEVRE: Then I am mistaken. I thought it was a legacy presented by the last Government to right hon. Gentlemen opposite. However, it appears to me that an Office of very much smaller dimensions may be obtained at a much less cost than Dover House. Personally, I have always been of opinion that Dover House should be appropriated for the residence of the First Lord of the Treasury. I do not know a building which could be more appropriately adapted to that purpose. Certainly, to pay £2,800 a-year in the shape of rent for the very small offices of the Scotch Department is, in my view, a somewhat extravagant arrangement. There is another matter referred to in this Vote to which I wish to draw the attention of the Committee—namely, an item of £6,000 for the improvement of the accommodation in the National Gallery. It is added that this is a sum on account, and that the total cost is £55,000. I wish to know if this sums exhausts all the further payments on account of the new rooms which were opened on Monday, and also what has been the total cost of carrying out that work?

MR. C. S. PARKER (Perth): I regret the manner in which an English Member has made objection to ihe accommodation provided for the Scotch Department at Dover House. It seems

to me that this is almost the only one matter of late in which Scotland has been liberally and generously treated, and the Scotch Members are grateful for it. But anyone who has had much business to transact at Dover House must be aware that the Department is by no means over-housed, although, no doubt, it is liberally housed. It should be remembered that it includes the Education Office as well as those of the Lord Advocate and of the Secretary for Scotland. I believe there will be but one opinion on both sides of the House among Scotch Members—Conservative as well as Liberal—that, having obtained possession of Dover House, the Scotch Department should remain there.

MR. ILLINGWORTH (Bradford, W.): I should like to ask the First Commissioner of Works whether, outside the condition of this matter in regard to the accommodation of the Scotch Department, the Government have it in contemplation to provide a residence for the Secretary for Scotland in addition? It is a curious fact that the Scotch Members are never prepared to abide by their principles of economy whenever Scotland is concerned. In every respect they are rigid economists except when the money is to be spent upon Scotland. Perhaps I may be allowed to compare the office for the Scotch Department with the Irish Office. Looking at the population of Ireland, and comparing it with that of Scotland, the expenditure upon the Irish establishment is infinitely less, £5,500 a-year is considered to be sufficient rent to pay for the accommodation of the Irish Department, and yet, forsooth, we are to have, in the case of Scotland, an outlay of £2,800 a-year in the shape of rent, together with additional expenditure for other purposes in connection with Dover House. There are other items in this Vote which, in my opinion, are objectionable and require explanation. I wish to know if the item of £100, which has already been referred to for the warming apparatus in the Chapter House of Westminster Abbey, is not really an extension of the obligations undertaken by Parliament in connection with the Abbey, and whether the Dean and Chapter ought not fairly to be called upon to defray this expenditure. There is a similar item of expenditure in the case of Scotland. I refer to an item of £400 for the repairs of the fabric of Glasgow Cathedral. In this country so long as the ecclesiastical and monumental buildings are enjoyed by a section of the community only, I think that the ecclesiastical funds should be exclusively called upon to provide for the maintenance of those buildings and their repair. I wish to know how far this liability on the part of the public is to go in the direction of maintaining buildings which are only enjoyed by a section of the community. I think the House of Commons ought to look with some jealousy upon the increasing expenditure in this direction. I can only say that we are setting a very bad example if we allow this expenditure in connection with ecclesiastical buildings in Scotland to go on, because, before long, we may have similar claims in regard to buildings of the same kind in England. Then, again, in regard to the Chapel Royal, Whitehall. I wish to know whether this item—undoubtedly only a small one of £45—appears in the Votes for the first time? In the City of London we have seen a large number of churches which had very small congregations, or no congregations at all, diverted to other purposes by means of the facilities given by Parliament; such as museums and other public purposes of a useful character. I maintain that there can be no greater scandal than to maintain ecclesiastical buildings at a very considerable expense when they have no congregation.

MR. ESSLEMONT (Aberdeenshire, E.): I think that the Scotch Department has hardly had adequate justice done to it in the discussion which has taken place in reference to Dover House. The fact is that the Government had upon their hands this particular house, which was very unhealthy, and in which no one would live. Therefore, not knowing what to do with it they gave it to us for the Scotch Office, and they charge us a most exorbitant rent for it. That is the real state of the case in regard to Dover House. The hon. Member for Bradford (Mr. Illingworth) has complained that the Scotch Members are not very economical when the money proposed to be voted is intended to go to Scotland, and we have been told that the Scotch Members cannot expect to keep up their *prestige* for economy so long as they are anxious to retain for

themselves an expensive building in Whitehall like Dover House. I think the hon. Member is altogether wrong, and that he is interfering in a matter of which he knows little. Indeed, so ignorant is he that he appears to have thought that the Secretary for Scotland lives at Dover House. The great complaint we Scotch Members make is that he lives nowhere. He may be found in the Scotch Office at intervals, but I am not aware that he is able to be found anywhere else. As a matter of fact, he is not even a Member of the Cabinet. The Scotch Office is a merely ornamental one, and, therefore, I complain of the high rent we are charged, because we really have very inadequate machinery and organization. If we had our Scotch Secretary in this House, and in the Cabinet, we should have some value for the expensive office in which the Department is housed; but, certainly, until the machinery is very materially improved, I shall continue to think that the rent paid for the office is much too high. As I understand the sum paid goes into the Treasury, I am sure that the Scotch Members will sympathize with me when I say that instead of charging us £2,800 a-year for Dover House £800 would be quite enough. In that case the Scotch Members might fairly admit that justice was done to them. So far as the rent itself is concerned, I understand it is merely a change of hands. It comes out of one pocket and goes into another. I think the Scotch Members are fully justified in the complaint they make that, although they have a Scotch Department, very little work is done in it; and the Scotch people have by no means received that amount of justice and consideration to which they are entitled.

Mr. HANDEL COSSHAM (Bristol, E.): I only rise for the purpose of emphasizing the remarks of the hon. Member for Bradford (Mr. Illingworth) in reference to the public expenditure on ecclesiastical buildings. The question, I think, is a very important one, and I hope the First Commissioner of Works will tell us whether the State is pledged to any further expenditure in this direction?

Mr. PAULTON (Durham, Bishop Auckland): Attention has been called to the large sum which has been expended in sanitary improvements in connection with the Public Offices since their erection. It is an undoubted fact that a very great mistake must have been committed in the construction of the new Public Offices. But what I desire to call public attention to is, that so long as mistakes can be committed with impunity, and nobody is made responsible for them, so long will the House of Commons be required to go on voting money for purposes which not only involve a very large expenditure, but also the question of the health and lives of valuable public servants. I do not ask the right hon. Gentleman the First Commissioner of Works to make any statement, at this moment, upon his own personal knowledge; but I do hope that some assurance will be given to the Committee that the persons who are responsible for the disgraceful condition of these new offices will be required to pay the penalty in some way or other.

Mr. PLUNKET: I am afraid that the repairs of ecclesiastical buildings, which have been referred to by the hon. Member for Bradford (Mr. Illingworth) and the hon. Member for Bristol (Mr. Cossham), have been going on for a good many years, and that, in order to make anybody personally responsible, it would be necessary to call them back from that "bourne from which no traveller returns." I believe that the persons who were originally responsible would, if they were living now, be a good many hundred years old. I think, however, that I am entitled to say that the repairs have been extremely well done, and carried out as economically as possible. I believe that the completion of this work is not very far off. In regard to Westminster Abbey, the only expenditure which is charged in the Estimates is for the Chapter House. The Chapter House is no part of Westminster Abbey proper; and I may add that no portion of the Abbey is repaired out of the Public Funds except the Chapter House, and some of the old monuments of the Kings. The Chapter House itself is the place where old records and memorials of the past are deposited, and the warming of that part of the Chapter House is a matter which concerns the Government. As to the Scotch Cathedral at Glasgow, I am not very well versed in the details of that matter; but I believe that some time ago the tiends—as they are called in Scotland—were taken

over by the Crown, and, in return, the Crown incurred certain obligations. The tiends are now paid into the Exchequer.

MR. ESSLEMONT: Am I to understand from an item in the Estimate, which speaks of the Admiralty being occupied by the First Lord, that the First Lord of the Admiralty resides there?

MR. PLUNKET: No.

MR. ESSLEMONT: Then how does he occupy it?

MR. PLUNKET: It is used as the Admiralty Offices.

MR. SHAW LEFEVRE: May I remind the right hon. Gentleman that he has not answered the Question I put to him in connection with the National Gallery.

MR. PLUNKET: I may say that the new portion of the building of the National Gallery is now complete, and that the new rooms were opened on Monday last. I may add that the alterations have been extremely well done.

MR. THEODORE FRY (Darlington): I understand that, in answer to a Question put to him by the hon. Member for Aberdeenshire (Mr. Esselmont), the First Commissioner of Works has said that the First Lord of the Admiralty occupies offices in Whitehall, and pays no rent for them. Under such circumstances, I cannot help thinking that it is somewhat remarkable that the Scotch Department should be charged a heavy rent for Dover House.

MR. HANBURY (Preston): I wish to call attention to the fact that the First Naval Lord of the Admiralty has a residence provided for him. I should like to know why it is that a residence should be provided for the First Naval Lord, in addition to his salary, when other officials, occupying similar positions, have no residences provided for them.

MR. LABOUCHERE (Northampton): I beg to move the reduction of this Vote by the sum of £700. The case just referred to by the hon. Member for Preston (Mr. Hanbury) is an example of how things are done. We have a First Naval Lord, who receives, I think, £2,000 per annum. The appointment is a political one, and the holder of the Office changes with the Ministry. I presume that at one time the First Naval Lord was allowed to live at the Admiralty, and probably he was supplied with one or two rooms. It may have been thought desirable that one of the Naval Lords should reside on the premises. Alterations, however, have now been made at the Admiralty, and, possibly, the Department want all the rooms for themselves, and, therefore, the First Naval Lord has had to leave. We now discover, from these Estimates, that the First Naval Lord, with his £2,000 a-year, is to be lodged at the expense of the nation, in a very comfortable House at Queen Anne's Gate, overlooking St. James's Park, at a rent of £700 per annum. From my point of view the whole thing is perfectly ridiculous. I have watched that house carefully, as I have had a thought of taking it myself. I have, therefore, taken an exceptional interest in it; but I suddenly discovered that plate-glass windows were being put into it; and, on inquiry, I found that it had been taken for the use of the First Naval Lord. I have, however, seen no item yet for the cost of doing the house up, although, undoubtedly, in addition to the £700 per annum we shall have to pay in the shape of rent, there will be an item, somewhere or other in the Estimates, for doing the house up. In any case, I do not see why in the world a Gentleman who receives a salary of £2,000 per annum is to have a house provided for him, at a cost to the country of £700 per annum, when all the officials who sit on the Bench opposite are not provided with residences at all. There is no earthly reason for this expenditure, and I have only pointed it out to the Committee in order to show how gradually an official, like a worm, works his way, and gets more and more out of the country every year. Even if it were desirable to give the First Naval Lord a residence, I maintain that the rent paid for this house is excessive. It is a matter of experience that whenever the Government find it necessary to take a good house, they are compelled to pay a good deal more for it than it is worth. There are two houses which have been taken recently at Queen Anne's Gate for public purposes. I am not certain what the numbers are. [An Hon. MEMBER: 16 and 18.] Well, the Government are paying for them a rent of £1,500 per annum. I think that this is an excessive rent for houses which ought not to obtain a rent of more than

£500 per annum. I know that fact, because I have a house there myself, and consequently I am speaking upon a matter of which I know something personally. I certainly know the price and the value of these houses. The two I have referred to have been taken for the Intelligence Branch of the War Department. They overlook St. James's Park; but I have no doubt that the Government are paying for them more than the market price of the houses on each side of them. In addition, the Government seek to provide the First Naval Lord of the Admiralty with a residence which is to cost £700 a-year. I see no earthly reason why the First Naval Lord should receive this grant of £700 a-year. It is much too heavy a price to pay for the services of the First Naval Lord, and in order to accentuate the opinion of the House, not against the present Government, but against the late Government also, and with a view of protesting against the system of making things comfortable for the officials, I beg to move the reduction of the Vote by the sum of £700.

Motion made, and Question proposed,

"That the Item of £700, Rent of No. 34, Queen Anne's Gate, Residence of the First Naval Lord of the Admiralty, be omitted from the proposed Vote."—(*Mr. Labouchere.*)

MR. THEODORE FRY (Darlington): I can confirm what the hon. Member for Northampton has stated in reference to the high rent paid by the Government for the houses they take. One of the houses which have been taken by the Government for Admiralty purposes was offered to me for £350 a-year, with a ground rent which would probably have brought up the annual cost to £500. I have no doubt that whenever the Government go into the market they are compelled to pay an extravagant price.

MR. PLUNKET: I am not aware of the particular circumstances under which this house has been taken; but I understand that the ground on which it has been taken is, that it has always been held that the First Naval Lord should have a residence provided for him in the immediate neighbourhood of the Admiralty.

GENERAL SIR GEORGE BALFOUR: At the Admiralty.

MR. PLUNKET: Either at the Admiralty or in the immediate neighbourhood. The present arrangement is only a temporary one pending alterations. I do not know at what price the hon. Member for Northampton is willing to let the house which he appears to be anxious to get rid of. Perhaps it may be for the advantage of the Treasury to put themselves in communication with the hon. Member.

MR. ILLINGWORTH: May I ask what sum of money has been expended in putting this particular house in repair so as to render it a fit habitation for the Naval Lord?

MR. PLUNKET: I am not aware of the exact sum. The expenditure was incurred before I came into Office.

MR. BRADLAUGH (Northampton): Do I understand the First Commissioner of Works to say that there have been previous cases of the First Naval Lord being provided with a separate private residence?

MR. PLUNKET: Yes, I believe there have.

MR. SHAW LEFEVRE: The First Naval Lord used to have a residence immediately adjoining the Admiralty somewhere, I think, in Spring Gardens. That house has recently been pulled down in consequence of the arrangements which have been made for the reconstruction of the Admiralty, and it was considered necessary to find a residence for him in the immediate neighbourhood in place of the one which has been pulled down. Personally, I have always been of opinion that it is not necessary to find an official residence for a First Naval Lord, and I think it would be better to give him an increase of salary in lieu of a house, but that is not the view which has been entertained of the matter by successive Governments. It has been considered that inasmuch as the Office held by the First Naval Lord is a temporary one, and that he retires from Office when any change of Government occurs it is right to provide him with a house. No doubt, in this instance, the rent is high, but I am sorry to say that whenever the Government goes into the market the rent of houses immediately rises. With regard to the other two houses which have been mentioned, as I know something about them, I may be allowed to say that they have been fitted up as offices for the Intelligence Branch of the War Department, and that the arrangement which

has been made is, in my opinion, an economical one.

Question put.

The Committee *divided:*—Ayes 107; Noes 174: Majority 67.—(Div. List, No. 287.)

Original Question again proposed.

MR. ESSLEMONT: May I point out that no answer and no explanation has been given by the First Commissioner of Works of an item which appears on page 24, in reference to the stables at Dover House in Whitehall. Dover House has been allotted to the Secretary for Scotland as the office of that Department. I understand that the value of these stables is £150 a-year, and I want to know why they should have been allotted to the First Lord of the Admiralty. If I receive no explanation I shall move the reduction of the Vote by the sum of £150, in order that the Government may recover that amount by letting the stables.

MR. PLUNKET: I am very sorry, if I unintentionally omitted to answer any inquiry of the hon. Member. The explanation I have to give on this matter is simply this—that for some years there was a sum of £150 charged for stables for the First Lord of the Admiralty. We have now ceased to pay that sum of £150 for the First Lord's stables, because it is considered more economical to give the stables at Dover House than to pay rent for others.

MR. ESSLEMONT: Am I to understand that the First Lord of the Admiralty, in addition to his official salary, has £700 a-year for the dwelling house?

MR. PLUNKET: No, he has a dwelling house in the Admiralty, but there are no stables attached to it, and provision used to be made for him in that respect by hiring stables. As I have said, it is now considered more economical to give him the stables at Dover House rather than pay rent for other stables.

MR. ESSLEMONT: Should not the value of the stables be deducted from the rent of Dover House? You are evidently saving the sum of £150 a-year, and you appear to be putting it upon poor Scotland.

Question put, and *agreed to.*

(3.) £10,970, Furniture of Public Offices, Great Britain.

MR. ARTHUR O'CONNOR (Donegal, E.): I desire to put a question to the First Commissioner of Works in reference to this Vote. I want to know what is the system under which deductions are made in respect of depreciations of furniture. I believe that in the last 12 months a certain sum has been recovered from an ex-Minister—a First Lord of the Treasury—on account of the depreciation of the furniture used by him. There are a very large number of officials who have furnished residences supplied to them, and I want to know why they are not all of them called upon to pay, in the same way as the First Lord of the Treasury, for the depreciation of the furniture. I desire to put this question to the First Commissioner of Works, in order to ascertain what the system is.

MR. PLUNKET: The principle upon which this deduction is made was established by a Treasury Minute of 1883. The principle is that an outgoing Minister shall be debited with the value of the furniture just as he has received it, and with the cost of new furniture, and with the repairs which it is found necessary for his Successor to make. He is credited with the value of the furniture as he left it; and I think, in the case referred to by the hon. Gentleman, a sum of £400 has been charged to an outgoing Minister. Of course this sum is only paid when a Minister leaves Office, and it arises simply from the fact that the value of the furniture has been depreciated.

MR. ARTHUR O'CONNOR: I should like to know what the system is under which the deductions are made, because there are a large number of persons who obtain furnished residences, and yet it appears that deductions are only made in connection with some of them. Why, for instance, should a deduction be made in the case of the First Lord of the Treasury, and no similar deduction be made in the case of the First Lord of the Admiralty?

MR. PLUNKET: I believe that the rule is applied to all persons who are supplied with official furnished residences.

MR. HENRY H. FOWLER: The question which has just been put and the answer which has been given by my right hon. Friend afford a strong confirmation of the view I have always en-

tertained of the objectionable character of the arrangement to supply officials with furnished houses. The system is most expensive and unsatisfactory, and I think if the Treasury would terminate the arrangement, or largely reduce the sums spent upon these furnished houses, they would meet with general support from all sides of the House. There are two or three points in connection with this Estimate upon which I desire to obtain some information. This is an Estimate for the furniture of the Public Offices, but I find that it does not include all the furniture that is provided for the Public Departments. As a matter of fact, the Estimates placed before us are altogether illusory, because they do not show the entire payments under a particular head. I find that in addition to this Estimate for the furniture of the Public Offices in Great Britain there are, under other heads, items for furniture in the House of Commons, the Royal Palaces, the Royal Parks and Pleasure Grounds, the Customs, the Post and Telegraph Offices, Inland Revenue Buildings, County Courts, the Metropolitan Police Courts, Sheriff Court Houses in Scotland, surveys of the United Kingdom, Science and Art Departments, Industrial Museum, and Geological Survey Office, Edinburgh, and Diplomatic and Consular Buildings. An item for furniture is taken under each of these separate Votes. I think it is very desirable that when the Committee is asked to vote money for furniture for the Public Offices, we should know the entire amount that is being voted and that it should not be split up under different heads. I entirely agree with the remarks which have been made by my hon. and gallant Friend the Member for Kinkcardine (General Sir George Balfour), that the form in which the Estimates are presented to the House is very objectionable, because it prevents a comparison with the expenditure of previous years, which is of vital importance in considering the total cost. I certainly think there ought to be some means by which we could ascertain at once that the gross sum for furniture is so and so. I think the House will be very much startled when it is put in possession of full information, especially when it sees the enormous sums of money that are expended in matters over which the Committee has no control. I only call attention now to the fact that the great bulk of the expenditure for furniture is not included in this Vote, and I would impress upon my right hon. Friend the absolute necessity of instituting the most careful and rigid supervision over the Vote for furniture. The remarks which the hon. Member for Bradford (Mr. Illingworth) made a short time ago are perfectly true, that when the Government want to buy property, as well as everything else they go into the market to purchase, they are called upon to pay a great deal more than the real market price. I will only say that any private individual spending his own money would never dream of incurring this expenditure. Let me ask the hon. Members who have the Votes in their hands to turn to page 31 and see what has been expended in furniture during the past year, and then I would ask them to remember that during the last nine years this has been a constantly increasing Vote. As a matter of fact, during nine years £152,000 has been expended upon the furniture of the Public Offices, and that does not include by any means all the Public Offices. Let me take the case of the Admiralty. There is, under this Vote, a sum of £4,000 for new furniture, and let it be remembered that the Admiralty is supposed to be already fully furnished. I am speaking to practical men who know what the cost of furnishing is. For the Charity Commission there is a sum of £1,077 for new furniture, and the next item is one of a somewhat striking character for Chelsea Hospital. The sum set down is £994, and for the Military School, Chelsea, £679. Now, the expenditure for Chelsea is taken under the War Office. Then why are not these last two items included in the War Office Vote, when the Committee would have full control over them? I come next to the Scotch Office Vote. Perhaps that is somewhat tender ground, as far as Scotch Members are concerned. The Scotch Office ought certainly to have been furnished for less than £1,800. A railway board would never have thought of spending such a sum for such a purpose. As a matter of fact, I believe that this country systematically pays 30*s.* in the pound for everything it buys. For the War Office there is a sum of £1,850 for new furniture during the past year. Then in page 30 there is an item of £500 "to furnish a house in Spring

Gardens to be vacated by the Admiralty." I think that must be an inaccuracy. I suppose it is for this house now being taken. We are spending £15,000 or £16,000 a-year on furniture, and I cannot bring my mind to believe that that sum represents the actual annual depreciation.

MR. HANBURY: I should like to learn what record is kept of the furniture actually in the possession of the Government. A great deal has been said by the Public Accounts Committee about keeping separate inventories of all the furniture in the different Departments. If that were done, when these annual claims for new furniture are made, we should know what furniture it was intended to replace.

MR. BRADLAUGH: I have no wish to prolong this discussion; but I wish the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler) had challenged a Division upon the Vote. It appears to me that the way in which the accounts are rendered does not enable anyone who does not possess special knowledge to know what money the Committee of this House is voting from time to time. I take precisely the same objection in regard to this Vote for furniture which I took with reference to the cost of the Royal Family in which was included the first item we had to deal with. So, also, with regard to the furniture in the Royal Palaces. No one without official knowledge could even guess what the total expenditure is. I regret that the right hon. Gentleman has not thought it right to emphasize his view by taking a Vote in the Division Lobby. If he had done so, I should certainly have voted with him, and as long as I have a seat in this House I shall be prepared to divide against any Vote unless we are supplied with that technical and detailed information, without which no person who does not possess special knowledge is able to know what is being done with the money voted.

DR. CLARK (Caithness): Now that we are at this point, I should like to hear from the right hon. Gentleman the mode in which this part of the business is transacted, and why it is that, as we are told, we are paying for the furniture in our Public Offices at the rate of 30*s.* in the pound. The probability is, that this is the result of dealing with one manufacturer only, instead of with the trade generally. However that may be, I ask whether Estimates are taken for the furniture required; whether specifications are sent in, and what process is gone through with regard to the purchase generally?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): The question raised by the hon. Gentleman opposite is no doubt a very important question; but it is not one that is so free from difficulty as he appears to think. It is quite impossible, in the particular form in which the Estimates are presented, to give the total cost of each item in the Vote, unless the plan were adopted of giving an accompanying statement or note showing to the House the information asked for. But that question is raised for the first time.

MR. BRADLAUGH: I beg pardon. I raised the question last year, and intimated that I should raise it and divide every time until the information was given by a separate memorandum or appeared in the Estimates; and I raised it in Committee the other day.

MR. JACKSON: That was I believe on the Vote for Royal Palaces. I am not prepared to say that this is not desirable; but the suggestion of the hon. Gentleman is one which requires the most serious consideration, and I point out that it is moreover a question which will involve a very large expenditure in each Department. If, however, the House of Commons requires the information to be given in that way, it is of course entitled to have it, and I trust hon. Members will not think I have any desire to prevent the House knowing the total. The Estimates have been presented to the House in their present form for a great many years; but they have been altered from time to time according to the desire of the House, and the Committee which is sitting upstairs will no doubt make further modifications which will have effect when the next Estimates are prepared. In the meantime, I am bound to say that my sympathy is entirely in favour of giving the House the fullest information with regard to the items in the Votes, and the Committee may rely that anything which lies in my power to effect in that direction will be done. I was certainly greatly surprised, I may say shocked, at hearing the right hon. Gentleman the

First Commissioner of Works under the late Government say that whenever the Government wanted anything the fact became known beforehand.

MR. SHAW LEFEVRE: My remark had reference to houses only.

MR. JACKSON: Exactly. I say that it would be the very last thing that the Government would do — namely, when they wanted to buy or rent a house, to allow the owner to know their requirements beforehand. With regard to the remarks which have been made with reference to the furniture for the offices of the Secretary for Scotland, the amount under this head is no doubt considerable. The expenditure has been compared with that of the Irish Office; but the experience of the right hon. Gentleman opposite will tell him that the tendency has always been to average the Estimates up to the highest, and not to go from the highest to the lowest. The right hon. Gentleman's observations would tend to emphasize the demands which are constantly been made upon the Treasury, and refused. With regard to the Offices of the Secretary for Scotland, there are one or two things which ought to be brought before the Committee. It is a new Office, and in it is conducted practically the whole of the Business of Scotland, including education; and, although the rent may seem high, I am informed that the accommodation provided is not in excess of the requirements, and that, on the contrary, there are constant demands for increased accommodation; the house is in a good situation, and is an exceedingly good one. That being so, it is easy to see that a house which offers so many advantages must be paid for at a proportionate rate. With regard to the inventory system, I am informed that it has not been found to work in every respect satisfactorily, and that the question is one which should be settled by the Public Accounts Committee. The question is a most difficult one; and when you are setting up a new Office, it is not easy to settle the point as to whom the responsibility should rest upon. Are you going, when a new Office is set up, to accept the statement of the officers of the Department, or are you going to make my right hon. Friend responsible? I am informed that an experiment has been tried in one or two Offices, and that the question will be submitted to the Public Accounts Committee as to whether the maintenance of the system will be worth the cost which it entails. I am sure that the experience at the Treasury of the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) will bear me out in saying that when application is made for sanction to the Treasury in every case where the Department making the application cannot justify it, sanction is withheld, and no item is passed that can possibly be struck out. The hon. Member for Caithness (Dr. Clark) has asked whether any Estimates are taken for furniture supplied to the Offices. I think, on consideration, the hon. Gentleman will see that it would be difficult to have an elaborate system with regard to the chairs and tables that may be required from time to time. I understand, however, that several manufacturers are employed, and that special tenders are required when anything important is wanted. The statement is far from being correct that there is no check upon the supply and cost of furniture; I have to state, on the contrary, that a complete scrutiny is brought to bear on every item, and I would, therefore, now ask the Committee to allow the Vote to be taken.

MR. SHAW LEFEVRE: I confine my remarks simply to the question of hiring houses; and I say that if it is known to be necessary for the Government to hire a house in a particular district, it is impossible to prevent the fact leaking out, and the rent is consequently raised. But that is not the case with furniture; and I do say, from my own experience, that the Government purchase this at reasonable prices. As to the furnishing of official residences, no doubt the expense of that is great; but if you provide a high official, such as the First Lord of the Treasury or the First Lord of the Admiralty, with a residence, it follows almost as a matter of course that you also supply him with furniture, because the changes of Government are so frequent, that it would be almost impossible for each fresh official to buy new furniture. But I agree that these arrangements ought to be confined within the most rational limits, and that we should rather curtail than extend the number of official residences. If it were not out of Order, I should like to refer

to the expense of residences in this great building. I believe the expense of them is extremely great, and I have reason to believe that some officials are lodged under this roof who need not be so provided for. I would also refer to the charge for the Scotch Office, on account of which there is a charge of £600 in addition to the sum provided in the former Estimate. I believe I am correct in saying that the Secretary for Scotland is provided with a splendid suite of rooms, in which the Minister gives entertainments, and that in this respect the Office can only compare with one other Department—namely, the Foreign Office.

GENERAL SIR GEORGE BALFOUR (Kincardine): I have on several occasions felt it my duty to refer to the system under which these arrangements are made. I consider that all bills sent in should be certified by the Heads of the Departments for which furnished, which would, in my opinion, do away with much of the extravagance that exists.

MR. LABOUCHERE (Northampton): I think it would be well, in cases of this kind, if the authorities were to act in the same way as the General who sent an aide-de-camp to cut off a tassel in one of the rooms of his house that had been recently furnished, in order to ascertain the price at which it could be bought in a shop, and who, finding that it could be bought for 30 per cent less than the price charged to him, deducted that percentage from the whole of the items in the tradesman's account. There are old-fashioned firms who go in for large sales and small profits, and other firms who take a large profit on small sales. Now, I think, if you go into this matter, you will find that the firms who send in the tenders belong to the old class, and they say among themselves—"You shall have this furnishing, and we will have another;" and unless you let in other firms you will always fail to get a fair value. There is, I see, a charge for £400 for the renewal of the examination table at the Civil Service Commission Office. I suppose the table is only made of deal, and the charge is perfectly absurd, because for that money you could get a table large enough to seat all England round it. Then there is a charge on account of the Stationery Office for a supply of new racks, which I suppose are for hanging hats upon. I should like to know what firm it was that had the contracts for these things, because I am convinced that if the right hon. Gentleman goes to a large firm, such as Messrs. Maple's, he will find that furniture can be supplied from them at 30 per cent under the price here charged.

MR. HENRY H. FOWLER (Wolverhampton, E.): I want to emphasize the fact that this is a practical matter. What we want to know is the entire cost of the furniture provided for under this Vote. The Secretary to the Treasury (Mr. Jackson) says that if we alter the mode of keeping accounts, it will involve a great expense, and that if the House of Commons asked for that alteration it was entitled to have it. Now, I venture to say that when that demand is made, in order to get at the Expenditure of the country, the answer will be that the expense would be too great. We are only dealing here with a few thousands of pounds; whereas we shall hereafter have to deal with far larger sums. The Furniture Vote this year for the House of Commons is £4,500; Customs, £1,900; Post Office, £6,100; Inland Revenue Office, £3,100, and we find that the Irish Office is by no means behind in this matter, the modest charge on that account being £18,000. Now, all that I ask for, and what I think the Committee should insist upon, is that this Vote shall in future show on the face of it in a Note the entire expenditure for furniture in all the Departments of the Public Service. And the second point is that the two great spending Departments, the Admiralty and the War Office, should not be allowed to put their hands into the pockets of the Civil Service; but that the entire expenditure should be defrayed out of the Votes for those Offices.

MR. JACKSON: I think I stated to the Committee that my desire was to supply the House of Commons with every information, and that, as far as lay in my power, it should be done. It may be early now to say what steps will be taken; but my intention was to make clear my own views upon the subject. I, therefore, hope my right hon. Friend will understand that, so far as the information relating to the public expenditure of each Office is concerned, my view is that it ought to be given, and that, as far as I am able, I will meet the wishes

of my right hon. Friend. The right hon. Gentleman has drawn attention to the fact that there is a large sum down for furniture at the Admiralty. I understand that this charge is not for the account of the Admiralty, properly speaking, as we understand the term; but that it is in connection with an outside office which had to be furnished for the accommodation of clerks who were displaced. I believe that the item of furniture is due to the circumstance that the houses in Spring Gardens had to be vacated, because it was expected that they would be pulled down; they were not pulled down, however, and, further accommodation being necessary, they were re-occupied, and hence the expense. It is, no doubt, desirable that the whole of the Admiralty expenditure should be put on the Vote for that Department; but my right hon. Friend knows that the Treasury has very little control over the Estimates of the War Office and Admiralty, which stand on a footing different from that on which the other Votes stand and over which we have control.

MR. HENNIKER HEATON (Canterbury): I think the question of expenditure on small works is one which may very well be referred to a Committee of this House. As an instance of the excessive cost of work of the kind, a short time ago a lock was required to be placed on a door in one of the Public Offices; it could easily have been replaced for 5*s.*; but an Inspector was sent down, and the cost, which included railway fares, amounted to £3 10*s.* The reason why I rise, however, is to complain of the waste of time we are put to in investigating Government Business; and I think the remedy would be to reject one or two Votes where the charges are high, which would compel the Government to make such arrangements as would prevent the recurrence of the dissatisfaction which exists with regard to the expenditure on Public Offices.

MR. PLUNKET: I feel bound to repudiate the general statement that has been made as to the excessively extravagant cost that is incurred in supplying and replacing the furniture in the case of the Public Offices. There is absolutely no foundation for it.

MR. HANDEL COSSHAM (Bristol, E.): I cannot help saying that the accounts presented to us here show an utter want of character; and I think it the duty of the right hon. Gentleman opposite to review some of the items, after bringing this question to an issue. I am sure that the time of the right hon. Gentleman could not be better expended than in investigating the cases of extravagance which have been brought to light this morning.

MR. PICTON (Leicester): We have not been informed what is the rate of the depreciation represented by this large expenditure. If the sum of £17,000 represents the rate of depreciation, the valuation of the furniture would be represented by £340,000. I do not think that the cost of new furniture ought to exceed 5 per cent of the value of the furniture in existence. We have been told that there is an inventory, and we might gain such information from that source as would enable us to ascertain the value of the furniture, and whether the arrangement is an economical one or not.

Vote *agreed to*.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £138,627, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings in Great Britain, including Furniture, Fuel, and sundry Miscellaneous Services."

MR. HENRY H. FOWLER (Wolverhampton, E.): There are some items in this Vote to which I wish to call the attention of the Committee. The amount of the Vote is very considerable, and the Committee will observe, on referring to previous years——

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. HENRY H. FOWLER said: I find that, since 1879, we have spent £1,431,000 upon Revenue Department Buildings, and in that sum the present Vote is not included. There is the same objection to this Vote as that which I raised on the last Vote; and we are, therefore, obliged to go again over part of the ground which was traversed when the latter was under consideration. I ask the right hon. Gentleman to look at the Vote for Customs, and say how it is that this Vote never shows

any decrease. The Vote is stereotyped in amount, and the sum we are asked for is £28,935, which is most unevenly apportioned in respect of the various branches of the Department throughout the country. For instance, there is £1,000 for furniture for London, as against only £900 for the whole of the other parts of the country; the Inland Revenue Vote has £1,800 for furniture in London, but only £950 for the branches in the rest of England and Wales, and £300 for Scotland. The same disparity occurs with regard to fuel, light, and water. We have £2,300 for the Offices in London, and for the country, the rest of England, Wales, and Scotland, £750 only is asked for. These items never show any decrease, and although I agree with my hon. Friend that there is careful supervision with reference to new demands, yet there is a tendency on the part of the Departments to consider that they are entitled to have the same sum again which has been voted in previous years. But the particular object I have in rising is to call attention to the Vote for Post Office Telegraph Buildings, and I am, therefore, glad to see the Postmaster General (Mr. Raikes) in his place. I have, in the first place, to re-echo the remark which has been made as to the delusive mode in which these Votes are presented to the House. There is here a sum of £140,000 which does not appear in the Special Vote for the Post Office and Telegraph Department; and, therefore, when the Postmaster General comes forward in this House, and says that the Post Office produces so much revenue, the account on which he makes his statement is incomplete, the fact being that the loss in connection with the Telegraph Department is much greater, and the profit from the Post Office much less, than we are led to believe. I ask again that we should have, on the face of the Votes, the entire cost of the Departments; and this question was raised by me some years ago, when the late lamented Mr. Fawcett was Postmaster General, and that gentleman agreed with me as to the extravagant mode in which these Departments were conducted, and condemned the practice of one Department spending money which is voted for another. In the first place, then, I object to the Post Office Department spending money without being responsible for that expenditure; and, secondly, I object to what I may call the very expensive manner in which the work on the buildings constructed by the Chief Commissioner of Works (Mr. Plunket) is carried on, and I think that the evidence before the House with reference to the expenditure on the War Office and new Admiralty Office will show that the Estimates of the right hon. Gentleman are totally different in respect of cost from other buildings. I regret that the right hon. Gentleman is not present; because it has been pointed out that there is a large disparity per cubic foot between the cost of buildings erected by him, and such buildings, for example, as St. Thomas's Hospital, on the other side of the Thames. I am aware that there is a large expenditure upon the General Post Office in London, and I feel great difficulty in isolating specific post offices; because it would happen, no doubt, that every Member whose constituency is involved would get up and say that the expenditure in the case of his town was requisite to meet the growth of the place. But I venture to say that hon. Members ought not to look at the question from the point of view of their several towns. The total sum which the House is committed to by the original Estimate for New Works, alterations and additions in connection with Post Office buildings, is £388,118, and that is a sum which has been added to and will be added to in the coming year. I wish to know why the cost of buildings required for the same purpose differs so considerably in various instances, and for the purpose of obtaining an explanation from the right hon. Gentleman I will take two or three typical cases. There is my own locality, Birmingham, which has two suburbs, Aston Manor and Smethwick; in the first the post office costs £3,270, and in the latter £2,250. What is the cause of the large expenditure at Aston Manor, where, to my knowledge, the postal requirements are very small? Then we have for the office at Douglas, Isle of Man, £3,600; a new sorting office at Hampstead, £2,250; the same at Highgate, £1,800. What is the cause of this difference? Then I find that, while £4,000 is spent at Dumfries, Inverness requires £12,000, with regard to which I am obliged to say that I do not think that this disparity is accounted for by the difference

between the postal requirements of the two places. The same remarks apply to the sums asked for in the case of Poplar and Tottenham; and then I find £5,000 for Wandsworth, but for Willesden only £1,700, and for Wimbledon £2,700, while instances of the kind can be multiplied. I am at a loss to account for these discrepancies, except on the principle that the work goes on by rule of thumb. There is no question of sites here. I can, of course, understand that these cost considerable sums of money; but the Committee will see that they are provided for separately in the Post Office Estimates, and it follows that there must either be too costly accommodation for Post Office purposes in some cases, or insufficient accommodation in others. During the last three or four years this Vote has not been checked to the extent that it ought to have been, and my object in calling attention to these figures is to point out the necessity there is for introducing into this Department the same system of competition which exists in others, and I am satisfied that if the matter is investigated it will be found that this public accommodation could have been provided at much less cost.

MR. PLUNKET: I think it is obvious that if you take a large number of items of cost in town and country you may be able to point to differences of expenditure which at first sight are difficult to account for; but you must recollect that these buildings are for the requirements of the country, and that in them profitable business is carried on. And, therefore, when the right hon. Gentleman speaks of the requirements of the locality not being known and the rule of thumb in the Department, I can assure him that he is entirely wrong, because we have full information with regard to the requirements from the Post Office; and, on the other hand, we have to satisfy the Treasury, besides which we have no desire whatever to swell the Estimates of the Department. The explanation of the differences which the right hon. Gentleman has pointed to is that some of the places mentioned are growing places, and the expenditure is necessary to meet their increasing requirements. I particularly remember that this was the case with Birmingham. The suburb of Aston Manor was shown to be growing rapidly, and it was, of course, necessary to supply the postal needs of the place. Then the right hon. Gentleman asks why the cost of furniture varies so much with different places, and one reason for that is that it has been found in some cases cheaper to hire a furnished house than to build one and then furnish it. That is a circumstance which accounts for the apparent discrepancy in the cost of furniture as between London and other places in the country. No doubt it was shown before the Committee on Public Sites that in a particular case the building was rather an expensive one; but it must be remembered that the Admiralty and War Office Buildings were to have been of a handsome and ornate kind. However, the Committee reported against the scheme for War Office and Admiralty combined, and I trust that a different plan may be carried out, the expense of which will be less. I cannot agree that there was evidence to show that in all cases the expenditure of others engaged in works of the kind has been exceeded by the Department.

MR. LABOUCHERE (Northampton): This is one more instance of the great mistake that is made by not putting down to a Department the whole expenditure that belongs to it. Of course, we know that the Head of each Department wants to be able to say, when he comes before the House of Commons, that there is no increase in his Estimate; but the Head of a Department has only to go to the Treasury, and if he can get them to agree to the expenditure the money is spent, and it does not appear in his own Estimate. In this way thousands of pounds may be spent, and yet the Head of the Department may come before us, and say that in his particular branch there has been no increase of expenditure. That is one reason why we want the whole of the expenditure of each Department to be put down to its particular Vote. The right hon. Gentleman has said that these Post Office buildings ought to be paid for, because the Post Office is a source of profit; but I take it that people do not send more letters because the post office in their town happens to be a handsome building. They will send the same number of letters if the post office is an ugly building; and it is no answer to the charge of reckless and wasteful expenditure to say that it pro-

duces profit. The right hon. Gentleman seems to think that if we can show a balance to the good, nothing more is wanted; it does not signify to him whether that balance is large or small; whatever it is, we ought to spend in a large and grand fashion. The right hon. Gentleman has put forward a fallacy in saying that it is a question of difference of cost as between country and town. But my right hon. Friend has shown that the disproportion which he complains of takes place in the vicinity of London, and he has pointed to the cases of Wimbledon, Willesden, Wandsworth, and Highgate. The right hon. Gentleman the First Commissioner of Works says you must extend accommodation where the place is growing; but, take the places I have mentioned; they are not growing, but grown places; but taking them as grown or growing, one place is about the same as the other; and, therefore, I say the defence of the right hon. Gentleman does not apply. But he has not answered the question of my right hon. Friend, who asks who is the architect and surveyor, and who is the person who really decides of what class the building is to be, how it is to be built, and what is to be the expenditure upon it? I see that the total original Estimate for all this work was £388,118, and that the revised Estimate is £400,413. Of course, the revised Estimate is brought up above the original Estimate; and I have no doubt it will be found, on further revision, that the works will cost yet more money. That is the process we go through in all these cases. When the House is asked to vote the first sum, we are told that the work will cost so much; then we are told that there has been a mistake, and that the contractors must have so much more. But we say that the contractors have no right to come to the House, and say, "We want so much more;" and, further, we say that it is ridiculous to go on covering the face of the country with large and fine postal buildings. There have been post offices in all these places before; but I think the late Mr. Fawcett was responsible for the scheme for building new post offices all over the country; and I have since then seen places round London where post offices have been built, although none were required. I think we ought to make our protest, not only against the amount of the expenditure generally, but against these revised Estimates, which make the cost greater every year. I shall, therefore, move to reduce the Vote by the excess sum of £12,297; and I trust the Division will be such as to show the right hon. Gentleman that in future, when Estimates are presented to, us they must be adhered to.

Motion made, and Question proposed, "That a sum, not exceeding £126,330, be granted for the said Service."—(*Mr. Labouchere.*)

MR. SHAW LEFEVRE (Bradford, Central): I think my right hon. Friend the Member for East Wolverhampton (Mr. Henry H. Fowler) and my hon. Friend the Member for Northampton (Mr. Labouchere) have rather misunderstood the position of the Office of Works in this matter. They appear to think that the Office of Works is extravagant. Having served both at the Office of Works and at the Post Office, I think I can throw some little light on the subject. I ought to point out that the Office of Works is in fact in respect to these matters a branch of the Treasury; it is interested in these expenditures from a Treasury point of view; it is closely supervised by the Treasury, and cannot spend a single penny without the authority of the Treasury; I often used to feel myself in these matters to be as a clerk under the Treasury. The superintendence in these matters has been given to the Office of Works rather as a check upon the Post Office than otherwise. It is said that the transfer of the building of post offices and telegraph offices from the Office of Works to the Post Office would tend to economy; but, in my opinion, it would result in exactly the opposite. The Office of Works, in fact, acts as a kind of drag upon the Post Office, continually exercising an influence in the opposite direction to expenditure; and if I were to look at the matter from the Post Office point of view, I should say that the drag has been put on sometimes rather too closely. The truth is that the demands of the Public Service in respect to postal and telegraph business are continually increasing in the most formidable manner. The country, through Parliament, is continually putting upon the Post Office fresh duties, and the business of the Departments is in-

creasing to such a degree that few people who have not served the Departments have the least knowledge of, and, therefore, there is a continual pressure on the Treasury from the Post Office to make provision for the increase of the business; and, on the other hand, there is a continual pressure on the part of the Treasury, and through them on the part of the Office of Works, for the purpose of avoiding expenditure by the Post Office if possible. Again, you have pressure from the people in various localities asking for increased accommodation for their postal business, and who are interested also in the buildings being erected of a fine and handsome character. I think that when towns like Bradford, Birmingham, and Manchester demand that their post offices should be offices of a somewhat spacious and grand character you cannot altogether resist a demand of that kind. On the whole, I am inclined to think that if any fault can be found with the Office of Works and the Treasury with respect to the building of postal and telegraph offices it is on the ground rather that they have limited the demand more than is expedient than that they have been too expensive and too generous. My right hon. Friend (Mr. Henry H. Fowler) called attention to the evidence given before the Committee on the Admiralty and War Office sites. I will not, at the present moment, refer to that subject; when the proper time comes I shall have a good deal to say upon it; but I think my right hon. Friend might have pointed out that evidence was given before that Committee with regard to the building of the General Post Office in London. It was said that that building had been erected at a very low cost as compared with other public buildings in the country. If I remember rightly its cost amounted to only 9*d.* per cubic foot. [Mr. Henry H. Fowler: 11*d.* per cubic foot.] No; not 11*d.*—I think my right hon. Friend is wrong. However, I know this, that the General Post Office in London was erected at a cost very much less than any other public building has been erected, and certainly it is one of the most convenient and one of the best which has been erected in London in modern times, and it is a credit to the Department which was concerned in its erection and the officer who gave the orders for it. I do not believe the Department generally can be found fault with for being too expensive in these matters on the whole, and I think it would be wise economy in the long run to hasten the works which are undertaken. If there is a fault, it is the fault that in order to minimize the demands for the year the expenditure is carried over too long a period, and the works are not constructed so quickly as they might be. That, I believe, is the fault, if there is any to be found at all with the administration of this part of the work. I must point out again how very growing are the demands on the public purse in this respect. From almost every part of the country demands are made. So great are they that it is almost impossible for the Post Office and the Office of Works to keep up with them. Before I sit down there is one other point I should like to refer to, a point that has not hitherto been raised—it is the proportion of the cost of these buildings, which is put down to the Post Office and the Telegraph Departments. I raised the question on the Post Office Vote not long ago, and ventured to suggest then that the proportion to be put down to the credit of the Telegraph Department was too much in proportion to its work. I should like my right hon. Friend the Postmaster General to consider the point, and to consider carefully whether the proportion put down to the credit of the Telegraph Department should not be somewhat less than is now the case. I would also ask him whether it would not be wise to lay before the House a capital account of the Telegraphic Service, showing what has been done during each of the last four or five years in respect to public buildings and so forth? I think that such an account would be of the utmost value, and would tend more than anything else to show what is the real financial position of the Telegraphic Service, and how far we are earning or losing money at the present moment in that great concern. This, however, is a matter which infringes, perhaps, on another topic, and which is hardly germane to the question which is immediately before us; but I venture to throw it out as a suggestion to the Committee.

Mr. KIMBER (Wandsworth): The right hon. Gentleman the late Secretary to the Treasury (Mr. Henry H. Fowler) and the hon. Member for Northampton

(Mr. Labouchere) have selected Wandsworth as one of the illustrations on which they seek a reduction of this Vote. A more unfortunate illustration for the success of their case could not be found than that of Wandsworth. I was about to address a question to the right hon. Gentleman the Postmaster General (Mr. Raikes) as to why it is that for two successive years a Vote has been taken for £2,500 for the new office at Wandsworth, which is very much wanted to meet the rapidly increasing requirements of the district, and that not one penny has been expended? I call in aid of my argument the right hon. Gentleman the late Secretary to the Treasury himself; and I was very glad to hear the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) throw some little light on this question. The right hon. Gentleman the Member for Bradford has spoken of the Office of Works as a drag upon the Post Office. I have no doubt they have been such a drag as to induce the Postmaster General not to spend a penny at Wandsworth, to the great injury of my constituency, a constituency of 75,000 people, and in which there is not a single building appropriate to a post office at all. It happens we have very excellent tradesmen there, who perform the postal duties to the satisfaction of the public, but still not amply enough for the needs of the place. The question I have to put to the Postmaster General is, where the new post office is to be, when he proposes to commence building, and on what scale the building is to be erected?

MR. BRADLAUGH (Northampton): I intend to support the Motion of my hon. Colleague (Mr. Labouchere), for the reason that in dealing with the last Vote the Secretary to the Treasury (Mr. Jackson), I will not say avoided, because that would be an unfair way of putting it, but certainly did not promise—he carefully refrained from doing so—that he would use his influence with the Treasury that a Memorandum should in each case accompany the Estimates, so that it may be possible for a Member without official knowledge to know the total expenditure in each and every Department. The Secretary to the Treasury suggested that if that were done it would involve an enormous amount of expense. That can hardly be so. If the accounts were fairly made out, as I have no doubt they are, it would only be a little additional accountant work to prepare such a Memorandum. We ought to have it, or otherwise we are voting blindly. The fact that we have under this head several thousands of pounds which we ought to have been considering under the Post Office Vote serves to illustrate what occurs again and again in nearly every Department of the State. I have not sufficient technical knowledge to follow the objections of the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler), but I did notice that they were passed over *sub silentio* by the First Commissioner of Works, and no reply given except as regards post offices. I shall insist upon pressing to a Division each Vote until the Treasury say, aye or no, whether they will give the Memorandum I ask. If they say no, I shall take such opportunities as are afforded of raising the question in the House in order to obtain its decision. I object to being a party to trying to understand accounts which are rendered impossible of comprehension by the fashion in which they are prepared.

SIR JOHN LUBBOCK (London University): I should like a word of explanation from the Secretary to the Treasury (Mr. Jackson), or from some other occupant of the Treasury Bench. It appears we are under some misapprehension as to the facts of the case. The right hon. Gentleman the Member for Wolverhampton called attention to various items, and among others to £3,270 for the post office at Aston Manor, and £2,500 for the post office at Finsbury Park. The right hon. Gentleman based his argument entirely on the hypothesis that these were two buildings of the same character, and he asked why more should be expended in the one case than in the other. The argument of the hon. Gentleman the Member for Northampton (Mr. Labouchere) appears to be based on the same consideration. If I understood the First Commissioner of Works (Mr. Plunket) correctly, he pointed out that this was a Vote not only for new works, but also for alterations and additions. We cannot, therefore, without more knowledge than we have before us, compare the two cases cited; one expenditure may be for an extension of an

already existing building, and the other may be for new works. I do not know whether I correctly understand the state of the case; but if I do, it occurs to me that we have really no information before the Committee which would in any way enable us to judge whether the expenditure is too great or too small in these cases. I cannot help thinking it would be a great convenience another year if the Government were to have notice given to them of the particular items on which information would be required, so that they could come down to the House with such details as would enable us to form a proper opinion. If I have correctly stated what the facts before the Committee now are, I submit that we are really acting in the dark, and are unable to form an opinion unless we have further information given from the Treasury Bench as to whether the expenditure in these cases is justified or not. As far as the evidence which has come before the Public Accounts Committee is concerned, I am bound to say that I quite agree with what has fallen from my right hon. Friend below me (Mr. Shaw Lefevre)—namely, that it would not result in economy if the responsibility of erecting post office buildings were transferred from the Office of Works to the Post Office. On the whole, I think we have had no sufficient case made out that there has been any undue expenditure; and, therefore, although I think the discussion has been very interesting, and I hope it may lead in future years to our having better information, still, if I have correctly understood the state of the case, I do not see that a case has been made out for the reduction of the Vote.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): My hon. Friend the Member for the London University (Sir John Lubbock) has raised what I am sure is a very interesting suggestion, and it would be of advantage if it could be carried out—namely, that we should have some notice hereafter as to the items in the Votes which are to be challenged. The right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler) laughs. I suppose that when he was at the Treasury he was so thoroughly prepared to meet every point that could be raised that he required no notice whatever. [Mr. HENRY H. FOWLER: The Secretary to the Treasury ought to be.] My hon. Friend (Sir John Lubbock) is quite right in saying that buildings at two places which may be named are not necessarily of the same size, and that, therefore, they are not necessarily of the same cost. The course which is adopted is this: a demand arises in a particular district—it may be a very rapidly growing district, or it may be a district which has outgrown, although slowly, the provision made for the postal business—the Post Office first prepare a statement of the amount of accommodation, either of new or of additional accommodation which is required. The Office of Works then prepare an estimate of the expenditure which will be involved in providing that accommodation, and they subsequently have to obtain the consent of the Treasury to that expenditure. I think somebody asked who was the architect. Well, the plans are prepared at the Office of Works, in the Office of Works, and by the architect there. The plans and specifications are then issued, and tenders for the erection of the buildings publicly invited to enable the Government, as far as they can, to secure that they get the buildings erected at the lowest possible price. I will give one instance which occurs to me of the difference between an estimate and a revised estimate—a difference which everybody knows who has had any actual experience of business occurs almost invariably in every case. I suppose anyone who has had anything to do with building operations knows perfectly well that between the original estimate and the ultimate cost there is often a considerable difference. It may be there is an alteration in the plan during construction; it may be there is some default found in the foundation. I have in my mind at this moment a case which came before me, that of Dumfries. After the plans had been prepared, after the contract had been made, after the expenditure had been sanctioned, it was discovered that the foundation was a very bad one. What was the consequence? I believe there has been an additional expenditure over the original estimate of nearly £1,000. But we were obliged to incur that expenditure. [Mr. HENRY H. FOWLER: That does not appear.] I am afraid that next year the right hon. Gentleman will find that the figure will be enlarged in respect to

the office at Dumfries. Now, some reference was made to the case of Wandsworth and Wimbledon. The expenditure depends very much upon the organization. One post office in a particular district may be a much more important post office than another post office in the same district; and the same remark applies to the post offices of two different districts. It depends very greatly upon the work or the organization of the post office. Some offices require a much larger staff than others; some offices have a large parcels and telegraph business, while others have not. All these questions are dealt with as well as they can be by the Post Office. Let me point out further that, suppose a district is a growing one, the Post Office will probably say that, judging by the experience of the past 10 years, the requirements of the district will within the next 10 years enormously increase. In such a case they very properly make provision for a much larger staff than they would in the case of a district which is growing very slowly. Therefore, you cannot compare expenditure on a particular office with the expenditure on a particular office in another district; neither can you compare the expenditure on two offices in the same district, because the circumstances may be totally different. In all cases the Post Office people make an estimate as to the probable future requirements of an office, and of the staff to be accommodated. The Office of Works then make plans and provide that accommodation; and, as I have said, tenders for the erection of the buildings are publicly invited. I really do not know that the Government could adopt any other plan by which they would secure more economy. Now, with respect to what the hon. Gentleman the Member for Northampton (Mr. Bradlaugh) has said as to the need of additional information, I am very sorry I have not made the matter clear to him. I am in entire sympathy with him, but it appears I have not sufficiently pledged myself. I hope he will forgive me if I say I would rather fulfil a pledge I make than make a pledge I cannot fulfil. The presentation of a Memorandum such as he refers to does not rest entirely with the Treasury; all the Estimates are not prepared by the Treasury. The Admiralty and War Office Estimates, for instance, are not prepared at the Treasury, or under the supervision of the Treasury; but I have made some inquiry, and I may say that there is no objection on the part of the Treasury to supplying the information, and so far as it can be supplied it shall be.

MR. PICTON (Leicester): The hon. Gentleman the Secretary to the Treasury has referred to the case of Dumfries; but he has not offered any explanation of the remarkable disproportion between the estimate for the Dumfries Post Office and that for the Inverness Post Office; £4,000 is taken for the office at Dumfries, and £12,000 for the Inverness office. Is there such an amount of business at Inverness as would account for such a disproportion? Furthermore, the estimate for the Inverness office has been raised by £3,500—from £8,500 to £12,000. Without requiring any omniscience on the part of hon. Gentlemen on the Treasury Bench, I think they might be able to explain such items as these. Then I find the charge for Halifax is £10,000, while that for Bradford is nearly three times that amount—namely, £28,000. Of course Bradford is a larger town; but I do not think it can require three times the cost of that of Halifax. Then, again, I see that the cost of the post office at Clapham Common has been increased from the estimate of £350 to £1,350. The cost of the Streatham office has been doubled — £1,000 to £2,000. I should certainly like a short explanation of these items.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): Of course it is impossible to exhibit to the Committee all the circumstances connected with each of these offices, which would enable them to form a comparison as to whether a larger expenditure in one than in another is justified or not. I think the Committee will agree that that is impossible. After what has been said by the right hon. Member for Bradford (Mr. Shaw Lefevre), who has himself been Postmaster General and First Commissioner of Works, I do not think I need labour the subject further. I only wish to say, as regards the Inverness and Dumfries offices, that the office for Inverness is an office of the first class, and a very large district has to be served by it, whereas

Dumfries has a less important character. You cannot establish a comparison between the cost of the buildings which are required in each place, for they are offices of a wholly different class. The answer to my hon. Friend the Member for Wandsworth (Mr. Kimber) is that the delay has arisen owing to the difficulty of obtaining a site for the post office. The office will certainly be built as soon as ever that difficulty is overcome. I trust that the hon. Gentleman the Member for Northampton (Mr. Labouchere) does not intend to press his Motion to a Division. The increase of the revised estimate over the original estimate is rather a proof, I think, that, in the first place, the Office of Works was anxious to do the thing as economically as possible, but that when they went into details they found that an increased expenditure was necessary. The increase which appears on the Estimate only amounts to £12,000, and I am sure that anyone who has had experience of the building of houses will agree that this is not a large increase, considering the great number of buildings over which it is spread.

MR. FRASER-MACKINTOSH (Inverness-shire): I can corroborate what the right hon. Gentleman has said in regard to the post office at Inverness. There is no comparison whatever between Inverness and Dumfries, as has been attempted to be shown by the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler). A great deal of the business of the Highlands is carried on in the Inverness Post Office, and there is an immense amount of business done in the telegraph department. There have been complaints of late years concerning the post office at Inverness. It was found impossible, at reasonable cost, to increase the present building; and, therefore, the Post Office availed themselves of an opportunity offered to obtain a more commodious site in another place. I think they have only done what the necessities of the Highlands required.

MR. HENRY H. FOWLER (Wolverhampton): I must express surprise that on a Vote of this magnitude we have heard nothing of the views of the Postmaster General (Mr. Raikes). I shall be obliged to move to report Progress if the Minister whose Department is responsible for the large amount of the expenditure covered by this Vote does not give his opinion to the Committee on the points raised.

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I am very sorry that my right hon. Friend the Member for Wolverhampton (Mr. Henry H. Fowler) should have been disappointed. I should have thought that with his experience at the Treasury he must know perfectly well that this is a Vote for which I am not responsible, and one of which I cannot pretend to have any correct information. This is a Vote for which my right hon. Friend the First Commissioner of Works (Mr. Plunket) is responsible, and as to which it appears to me he has given very accurate information. I can only follow the right hon. Gentleman the Member for Wolverhampton in the more general views he has expressed on this subject, and which, I think, have been very well met by my right hon. Friend and Predecessor the Member for Bradford (Mr. Shaw Lefevre), who has already spoken in this debate. But if the right hon. Gentleman the Member for Wolverhampton believes that the Post Office is always in these matters demanding as much money as it can get from the Treasury or from the Office of Works, I can assure him he must be speaking from imperfect information. I will take the first item in this Vote, which is the largest, and that is the expenditure for the new General Post Office, North, in the City of London. A very great space was required for that building, and so large a sum as £30,000 has been voted. That was voted before I became connected with the Department at all; and although I believe the sum represents extremely good value at moderate cost, I have made it my business to consult the architect of the Office of Works, who very kindly came to see me on the question. I have suggested several methods of reducing the building, and I have asked him to consider the subject, and to report to me if he thinks any economy can be effected in the direction I pointed out. The part taken by the Post Office is certainly not to expand, but rather, if possible, to reduce cost. Well, then, there has been a great deal said, both by my right hon. Friend the Member for Wolverhampton and others who have taken part in this debate, as to the desirability of carrying these build-

ing Estimates into the Post Office. I can only say, with regard to that point, what I imagine anybody in my position would say — namely, that it appears to me to be most undesirable to put upon the Department the duty of defending and advocating Estimates for which they are not responsible. If these Estimates are the work of the Office of Works, if they are devised by their officers, and if they are carried out under their supervision and control, it is quite plain the Office for whom the building may ultimately be intended cannot be held in any way responsible for the expenditure incurred. We intimate to the Office of Works what we believe to be the requirements of the Service, and then the Office of Works place themselves in competent hands. I understand the arrangement, which has now subsisted for many years, has been found very economical to the Public Service—that is to say, that there should be one Department which, having its own experts, its own trained architects and surveyors, should undertake the building for all other Departments, and not that each Department should have a staff of architects and surveyors of its own, which would, in the long run, lead to great additional expenditure. Now, reference has been made to the cost of the post offices at Inverness and Dumfries. The case of Dumfries is one which has been before me more than once. It is the fact that there has been a very considerable subsidence in the site intended for the post office there; and no doubt there will have to be provision for some addition to the original estimate, though I think not quite to the amount of £1,000. Inverness is the capital of the Highlands. It is the centre of an extremely vast district. The post office there is of the first class; it has a very large staff, and it is a centre from which radiate an enormous number of postal lines. Inverness certainly requires a building altogether larger and more important than that which will suffice for a town like Dumfries. If I had known that any question was going to be raised with regard to the suburban places, I should have been glad to have obtained information to show why one office should cost £4,000 more than another; but I think it stands to reason that there must be certain discrepancies in the cost even of buildings of the same dimensions at places like Hampstead or Highgate or Wimbledon. You cannot have a hard-and-fast line as to the amount to be paid for each site, and I have no doubt it will be found on inquiry that the establishments at these places vary—that you have to provide in some places what you have not to provide in others. My hon. Friend the Member for Wandsworth (Mr. Kimber) has said something in regard to the post office in that important town. I can assure him that the Department is very fully aware of the importance of providing suitable post office accommodation at Wandsworth. As he is aware, a sum has been already voted to provide for that post office; but we have not, up to the present time, been able to secure a suitable site. I do not know whether my hon. Friend is prepared to supply us with a suitable site at a moderate figure; but until we obtain a site we are not in a position to commence building operations. I assure him and the constituency he so well represents that no time will be lost, and no pains spared, in endeavouring to find a site adequate to the requirements of so large and so important and increasing a population as that of Wandsworth. We must get on as well as we can until we are in a position to provide suitable and useful buildings. In regard to how places grow, I may say I have had an application made to me recently in respect to a very large and important burgh in Scotland, where what was considered a sufficiently large post office was erected, I think only eight or 10 years ago, at a total cost of about £8,000. The town has already completely outgrown the accommodation of the post office, and great pressure has been put on me to consent to an expenditure of at least £10,000 in providing an additional building. I am told that we might, perhaps, sell the post office which cost £8,000 for something like £4,000; but that, as I pointed out to the gentleman who came to me, would involve altogether an expenditure of £6,000 for an additional office, and therefore the country must be required to spend altogether £14,000 upon the post office at this place. I mention this to show that the Office of Works are fully justified when, from time to time, they appear to exceed the immediate requirements of a place. If a place is a growing place, it might be desirable to spend

a sum larger than is actually required at the moment. In the particular instance to which I referred, the building, though a very excellent building, stands upon a very limited site, and there is no possibility of extending it; and, therefore, a new site will have to be obtained in the event of a new post office being provided. Having regard for the future is, I understand, the principle which has guided the Office of Works in dealing with this matter. It is certainly a principle which I shall be guided by in making any recommendation to the Office of Works. The right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre) has raised a point which I think is very well worthy of consideration—that is, whether it can be found possible to present to the House, in the form of a capital account, what has been the expenditure in connection with the Telegraph Department. I feel, as others have felt, how very desirable it would be in regard to a Department which has to meet very considerable capital expenditure if we were allowed to have a capital account. I believe it would tend to remove much misapprehension which prevails in regard to the Estimates of each particular year, and it would certainly, I think, make the country more thoroughly understand the way in which this money is being expended. I think it is desirable to supply some Return of the description the right hon. Gentleman has suggested, and I shall be happy to confer with him as to the form of that Return, and then ascertain how far the Treasury are able to sanction such a Return being laid before the House.

MR. MUNDELLA (Sheffield, Brightside): Will the right hon. Gentleman present a similar Return with reference to the Parcels Post?

MR. RAIKES: I think the right hon. Gentleman (Mr. Shaw Lefevre) had in view when he made this suggestion that the telegraphs showed a deficiency and that the Postal Service showed a surplus. It was rather with the object of endeavouring to show how the deficiency was arrived at that he suggested the presentation of a Return showing the capital expenditure. There is not the same necessity for a Return in the case of the Parcels Post; but I will bear in mind the suggestion of the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella). I am afraid I must apologize to the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler), if I have not satisfied his curiosity in regard to details. I can assure him, however, that as long as I have the honour of filling my present position I shall not lose sight of the fact that the way to promote economy is to undertake the most thorough investigation in regard to matters involving expenditure.

MR. HENRY H. FOWLER (Wolverhampton, E.): I have a little knowledge upon the point, and I cannot allow the statements which have been made as to the relationship between the Treasury and the Post Office to go absolutely unqualified. I wish the Treasury had the power which the right hon. Gentleman the Postmaster General says it possesses. My experience is the other way. I can give the Committee a simple illustration of the power of the Treasury. Last year the Treasury made a very large reduction in the Post Office Estimates; but when the right hon. Gentleman (Mr. Raikes) came into power he re-presented the reduction which my right hon. Friend the Member for Derby (Sir William Harcourt) had made—re-presented the reduction in the shape of a Supplementary Estimate, and the power of the Treasury, or, at all events, the economies which the Treasury had intended to introduce, were for the time being swept away. The Post Office always prides itself upon being a paying Department, and I think it holds a very strong position as regards the Treasury and the Office of Works. I have been quite misunderstood by the right hon. Gentleman the Postmaster General, and also by my right hon. Friend the Member for Central Bradford (Mr. Shaw Lefevre), as to what I suggest. I did not suggest that the Post Office should undertake the building of these post offices; I did not suggest that the jurisdiction of the First Commissioner of Works should be in any way interfered with; but what I did suggest was that this expenditure should appear on the Post Office Vote, so that the House might know on the Post Office Vote what it was spending on Post Office buildings. Although it may be perfectly true that the right hon. Gentleman is not directly re-

sponsible—though I think he is to a much greater extent than he appears to imagine—for the building Vote, what does he say as to the next sub-heads of this Vote? £2,888 is taken for "Ordinary maintenance and repairs of the General Post Office and branch offices in London;" £4,070 for "coals, candles, and sundry household articles for General Post Office and branch offices in London;" £730 for "coals, candles, and sundry household articles (including gas and water) in Scotland;" £3,700 for "coals, candles, and sundry household articles in England;" and £270 for "coals and sundry household articles (including gas and water) in Scotland?" I am not arguing that any one of these items is extravagant; but I say that the House ought to have heard of this expenditure on the Post Office Vote. While I recommend the hon. Gentleman the Member for Northampton (Mr. Labouchere) not to press his Motion to a Division, I should like the Committee to see on the face of the Post Office Vote what the Post Office expenditure really is. I know that when I give illustrations of the variations in expenditure I shall be told that this place is an important place, and that place is a growing place. I do not rest my case on the few instances I gave. My point is this, that the cost of the site being excluded—that is, the largely varying cost—the cost of building is practically the same in the various parts of the country. [Mr. PLUNKET dissented.] The right hon. Gentleman the First Commissioner of Works (Mr. Plunket) shakes his head; but I do not think he will say that in Birmingham, in Bradford, in Leeds, in Halifax, in Newcastle, or in Manchester, there is any great discrepancy in the cost of building, at all events any such discrepancy as is indicated by the large differences in the amounts mentioned here. I do not think the right hon. Gentleman the First Commissioner of Works admits that the principle adopted—namely, putting all the work into the hands of a surveyor in London, is the most economical mode in which the work can be supervised and carried out. I am very glad we have had this discussion, and I hope that before it closes the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) will promise to consider the possibility of showing on the face of the Post Office Vote itself the entire expenditure upon the Postal Service. I must confess I was surprised to hear a gentleman in the position of Chairman of the Public Accounts Committee suggest that Members of Parliament should give Notice of all the items in the Estimates they are going to refer to. If that is to be done the sooner the Committee of Supply is given up the better. A Select Committee sitting upstairs might go through the items one by one, and obtain explanations from the Ministers and officials who were responsible for them. I am sanguine enough to believe that if a Select Committee were to examine the Civil Service Estimates, as a Select Committee is now examining the Admiralty and War Office Estimates, enormous advantage to the State would result.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I cannot allow the remarks of the right hon. Gentleman (Mr. Henry H. Fowler) to pass without a word or two of explanation. I am quite prepared to undertake that if I hold my present Office when the next Estimates are made up, they shall show the cost of the sites of the different post offices.

MR. HENRY H. FOWLER: I did not ask that.

MR. JACKSON: As I understand, the right hon. Gentleman wants to find out the total expenditure on post office sites.

MR. HENRY H. FOWLER: I want the expenditure to be shown on the Post Office Vote itself.

MR. JACKSON: It is rather difficult to follow the right hon. Gentleman. I would like to ask him whether he wants the amounts of the expenditure to appear under the Vote of the Department which is not responsible—[Mr. HENRY H. FOWLER: Yes.]—or under the Vote of the Department which is nominally responsible? [Mr. HENRY H. FOWLER: Both.] Both? You may have it as an explanatory Vote, but it is impossible, as the right hon. Gentleman knows, that the amounts can be stated in both accounts. If they are, you will have a duplicate entry.

MR. HENRY H. FOWLER: There is some misunderstanding. I do not want a duplicate entry. I do not want a duplicate Vote. I want the money to be voted in accordance with Treasury precedent. I want the Vote for the

Post Office to show that the sites cost so much, that the furniture costs so much, and so on, so that when the House of Commons is discussing the Vote for the Post Office it will know what the entire cost of the Post Office is.

MR. JACKSON: I do not know whether the right hon. Gentleman wishes it put in the Appropriation Accounts or not; but it will be seen that anything like duplication will involve difficulty in comparing the Appropriation Accounts with the Estimates, because the items will not agree. But, however, I am entirely at one with the right hon. Gentleman in this matter, and so far as it can be carried out it shall be. Now, the right hon. Gentleman spoke about the Treasury control, and he wished the Treasury had more control over Post Office expenditure than it has. The Treasury has really absolute control, as the right hon. Gentleman must know, over the Post Office expenditure, because the Post Office expenditure requires Treasury sanction before it can be incurred. The Treasury, therefore, can, if it chooses to exercise the responsibility, refuse any demand the Post Office may make. But I am bound to say that if the control which was exercised by the Treasury when my right hon. Friend occupied the position I now hold is to be the only control exercised Treasury control would be very small indeed. My right hon. Friend commenced by cutting down the Post Office Estimate by £195,000, and he calls that Treasury control. But does my right hon. Friend remember that before he went out of Office, and, therefore, before I succeeded to the Office, he had spent the sum he had provided for the whole year's service? [MR. HENRY H. FOWLER: No, no!] My right hon. Friend says "No, no;" but what I state is the fact. He had sanctioned the cutting down of the Estimates by a very large sum; but before the 10th of August, before I came into Office, he had also sanctioned an expenditure equivalent to the total sum provided for the year. Therefore, my right hon. Friend had left me with no money at all to spend. It is all very well to exercise Treasury control like that. Now, I will tell you what I have done. I have said that the Treasury ought to be supplied by the Post Office with a detailed Estimate of the expenditure. I have said, further, that every application which comes to the Treasury for sanction shall, in the future, bear on its face, or else inquiry shall be made, whether provision has been made for the Service in the Estimates. By this means I shall be able to keep some sort of control, and not leave my Successor in the position my Predecessor left me. In this way I shall avoid very largely Supplementary Estimates. If the expenditure has not been provided for in the Estimates, I shall know it, and I shall sanction it with full responsibility, knowing it will require a Supplementary Estimate. I hope to thus secure real Treasury control over expenditure. I am not favourable to Supplementary Estimates, and I will not have them if I can avoid it.

MR. MOLLOY (King's Co., Birr): Before this Vote is passed I want to draw the attention of the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) to a point which has been already mentioned. The other night I spent two hours in endeavouring to ascertain how much furniture has been supplied to the Public Offices; but I was unable to do so. The accounts are so jumbled up that if they were presented to the head of any business in the City or elsewhere they would be laughed at. I do not mean to suggest that the accounts are confused purposely in order to prevent criticism; but, as a matter of fact, it is almost impossible for anyone who takes an interest in the accounts to come to a fair and just conclusion regarding them. I understand the hon. Gentleman the Secretary to the Treasury does intend to look into the present system of preparing the accounts, with the view of presenting them in future in a form which hon. Members can better and more readily comprehend. Let me point out that in this Estimate there are four or five different items for furniture —£10,000 in all. It is utterly impossible from this account to form the least opinion as to whether the expenditure is a necessary or unnecessary one. Let me go further still, and point out that year after year we are voting away money—upwards of £100,000 for furniture alone —for new furniture to replace that which is worn out or which does not suit the æsthetic tastes of some of the Heads of Departments, and yet in the whole of these Estimates there is not a single figure which shows what becomes of the

old furniture. The item for old furniture may appear to be of very small importance; but if you spend £100,000 of the public money in the purchase of new furniture to replace furniture which is quite good enough for any Public Office in the country, but which does not suit the æsthetic tastes of certain officials, there ought to be some means of ascertaining what becomes of the furniture which has been discarded. It is no use denying the statement, because it has been admitted in the House, that the furniture in certain Public Offices did not suit the æsthetic tastes of the Heads of those Offices, and they demanded to have furniture of a superior or more artistic character, and got it. For aught we know, the old or discarded furniture may be a perquisite of the people who conduct the disposal of it. Now, £10,000, which is here shown, will buy a lot of office furniture. It is not as if ottomans and pianos and curtains for windows are to be purchased with it; but it is simply for office chairs and tables; £10,000 will, therefore, go a very long way; and the amount of furniture which £10,000 will replace is very large. Now, what becomes of the old furniture? Is it broken up for firewood? Is it sold; because, if so, why is there no item in the Estimates in respect to it? I see there is an item, "estimated extra receipts." Is that for this discarded furniture? What is meant by "estimated extra receipts?" No information whatever is given to the Committee upon this point. I cannot help thinking that the Committee is being bamboozled in this matter. I do not say it is intentional, but it certainly is the result of a very bad practice which has grown up. It is clear to my mind that the method of preparing these Estimates is most improper and misleading. I admit the Estimates are prepared with every endeavour on the part of the officials that no hole can be picked in them, but prepared also with the view that no hole should be picked in them in the sense that no criticism should be passed upon them. I trust the hon. Gentleman the Secretary to the Treasury will give us some information upon this point. At present there is no reason assigned for this large item which annually appears in this particular Estimate. There is item after item, "new furniture," "new furniture," "new furniture." One would think that half the work of the Government Departments of this country is the buying of new furniture, and yet when we are asked to spend this money we are given no information to enable us to say whether the expenditure is just or not. Now, I will put a practical question to the hon. Gentleman the Secretary to the Treasury. Will he in future see that the information which this Committee is entitled to is given? Will he see that those who prepare these Estimates prepare them in a way which will be intelligible to ordinary business men; and will he tell us now, if he can, what is the amount, if any, which has been received for the discarded furniture?

MR. PLUNKET: The hon. Gentleman (Mr. Molloy) indulged in passionate eloquence on this point, although there is no ground whatever for it; because, in the first place, I must call attention to the fact that the Vote we are now discussing is Vote 8, and relates to the Customs' Buildings, the Inland Revenue Buildings, the Post Office Buildings, and the Telegraph Buildings all over the country; and if he comes to realize what that means, he will see that the sum asked for—£10,000—is not a large one at all. The hon. Gentleman must bear in mind that this sum not only covers the purchase of whatever new furniture may be required for all these buildings, but the repairing of old furniture, and the supplying of all the materials with which the offices are kept clean and the furniture kept in good condition. Indeed, I am not only the carpenter, but also the housemaid to these buildings, and it would be difficult for me to keep a record of the quantity of furniture which comes under my charge. I can assure the hon. Gentleman, however, that no new furniture has been supplied to suit the æsthetic tastes of anyone. It is only as furniture wears out that new articles are supplied. I am persuaded that if the hon. Gentleman calls to mind the immense number of offices throughout the country included under the four heads, Customs, Inland Revenue, Post Office, and Telegraphs, he will not think £10,000 an excessive amount for furniture.

MR. MOLLOY (King's Co., Birr): I think the incidents the right hon. Gentleman the First Commissioner of Works has given justify me in the observations I make. I venture to say that the

right hon. Gentleman did not give information upon the main point I put before him, and did not tell us whether the expenditure referred to was a just or an unjust expenditure. It appears that housemaid expenditure—that is to say, the expenditure on dustpans and so on—is put under the head of furniture; and that, I submit, is bound to be misleading, for these things cannot properly be looked on as furniture. The point I put is this—that there is a large amount of old furniture replaced year by year; and I complain that there is nothing in the Estimates to show what becomes of that old furniture. The point I raise now is identical with the point raised three years ago, when the attention of the Government was called to the fact that at the very time they were buying new furniture they had enough old furniture to serve for months. We were asked to point out where this old furniture was; but we replied to the Government—"It is your business to find out where it is—it is your affair and not ours, and you cannot call upon us to undertake your duty." We told the Government they must discover this furniture, and, in course of time, they did discover it. That was not in the time of the right hon. Gentleman opposite (Mr. Plunket); but it was, at any rate, found that the Department was in possession of a large amount of furniture stored up. To say that there is no old furniture to be sold—to say that if there is any old furniture it can only be used as a bonfire—is not a correct statement of the case. You are constantly replacing furniture. What becomes of the old furniture, I ask? Have you nothing to say as to what becomes of it? What is received for it? If your dealings with old furniture are anything in the nature of business-like transactions, let the item be put in your accounts. I know it is difficult to look after all these matters, and I do not make a complaint against the right hon. Gentleman. I am endeavouring to help him, and am bringing to bear upon this point reliable information which has been given to me privately. The facts which have come to my knowledge, for obvious reasons, I cannot state in this House, because if I did I should have to make accusations without evidence to justify them, though I have evidence sufficient to render anyone morally certain of the facts. I want the right hon. Gentleman opposite to assure himself that none of the smaller officials in the Departments get no perquisite money for the sale of old furniture, and so on. I would ask that in future those whose duty it is to prepare these Estimates shall be compelled to put down whatever sum, whether it be a large or small one, which is obtained for discarded articles of furniture in the Government Offices. We have a right to know what the exact amount is, and to have an account before us, so that if anything goes wrong we may be able to check it.

MR. BARTLEY (Islington, N.): Might I endeavour to enforce what was said by the right hon. Gentleman opposite as to the absolute necessity of putting the whole cost for every Department in one distinct account? For 20 years I have been connected with one of the Departments which has to do with the spending of money, and I am perfectly convinced that there is no greater source of extravagance than the fact of money being granted by one Department to be spent in another. The Post Office, Stationery Office, and other Departments are affected in this way. When a Department gets the money it spends directly, there is some probability of its looking after it to the best of its ability; but if it has to get anything from the hands of another Department, it is not guided altogether by the same principle of economy. It is like a locality getting money from the Treasury—the local rate expenditure, which it feels directly, it looks after keenly; but its aim often seems to be to spend as much as it can get out of the Imperial Treasury. I maintain that the first step towards practical economy in the Deparment we are discussing is to require that the whole sum expended upon each Department should be accounted for in the Estimates of that Department. In this way the accounts of each Department would show every penny it expends and every penny it receives, and you could account for its operations in that way. I am very grateful to the Government for saying that this system is to be carried out in the compilation of the Estimates next year, and I trust that this system will in future be universally adopted.

MR. CHILDERS (Edinburgh, S.): I do not wish to refer to what is going

on in the Departmental Committee which is holding an inquiry upstairs; but I wish to say that I am glad the hon. Member opposite has dealt with this question as he has. I rise, however, to say how grateful we should be to the hon. Member on this side (Mr. Molloy) for having raised a new point and one of considerable importance. I do not know whether the right hon. Gentleman the First Commissioner of Works can answer the question; but I notice that at the foot of page 32 there are four items in connection with this Vote for furniture—four items in the nature of extra receipts amounting to £5,400—and I should like to know what they mean. The right hon. Gentleman probably knows what these items consist of, and whether any considerable part of the money is in respect of old furniture. At any rate, I think we should get from him the particulars of this Vote. [Mr. PLUNKET dissented.] The right hon. Gentleman shakes his head; but I can only say that this is just one of those questions which we are entitled to ask, and which a Minister ought to answer. I should think he could ascertain without difficulty what that £5,400 has reference to—at any rate, with the assistance of the Secretary to the Treasury.

MR. PICTON (Leicester): I should like before this Vote is passed to ask for some explanation upon the point raised by the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler), which no Member of the Government has since referred to. The point had reference to what appears on page 32—that is to say, the great disproportion observable between the charges for Customs Buildings in London and the charges for Customs Buildings in Liverpool and the rest of the country. The Port of Liverpool in regard to its foreign trade is about equal to the Port of London, and in some years it will even surpass it. No doubt the large coasting trade which London has makes its tonnage larger; but the foreign trade is about equal in the two ports. Well, in connection with the Port of London, I see there is a charge of about £1,000 for sanitary works under the head of Customs Buildings, whereas the corresponding charge for the Port of Liverpool is only £50. The charge for maintenance and repairs in the Port of London £1,800, whilst in Liverpool it is only £680, For rent' insurance, and so on, the charge for London is £5,600, whilst for Liverpool it is only £670. For fuel, lighting, water, &c., London has £2,020, whilst Liverpool has only £850. I know that the articles imported into London, as a rule, bear much heavier duty than those imported into Liverpool; but still the disproportion between the Customs receipts in London and Liverpool is not likely to be such as to justify this enormous disproportion in the charges I refer to. I think this is a point upon which we should have some explanation.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I see in the Estimate that no less than £65,000 is taken for new works, alterations and additions of Post Office Buildings. Then, again, we have for Post Office Telegraph Buildings—new works, alterations and additions—an item of £14,273 charged. Well, under these Votes, what I want to know is, whether Her Majesty's Government are prepared to take any steps to compel the Railway Companies to render facilities to the public for the use of their telegraph wires? The Government usually give the stereotyped answer that they have no control over the Railway Companies; but I would point out that when large Railway Companies ask for new Acts of Parliament, it is perfectly competent for us to insist that these Companies should grant the use of their telegraph wires for the convenience of the public and for the good of the country. I should like to ask——

THE CHAIRMAN: The subject the hon. Baronet is dealing with is totally irrelevant to the Vote we are discussing.

MR. JACKSON: With regard to the question of the right hon. Gentleman opposite (Mr. Childers), raised as to the extra receipts, I am afraid I have not the full details with me; but I should think that, practically, none of this item is for the sale of old furniture, because, so far as I know, no furniture is sold so long as it is of any value, or useful for the purpose of furniture. I think the hon. Member opposite (Mr. Molloy) has rather—I will not say exaggerated—but given reins to his imagination, in describing the expenditure as having been made on new furniture,

for the purpose of replacing old furniture, merely to satisfy the æsthetic tastes of the heads of Departments. It is impossible for me to say exactly what the item is for; but it is based upon the average of preceding years. The extra receipts in preceding years have been—in 1883-4, £4,464; in 1884-5, £5,786; and in 1885-6, £5,887. I believe a very large portion of that is for rents, for old materials re-used, and items of that sort. These are all the extra receipts which come under the Department of my right hon. Friend. Then, the hon. Member for Leicester raises a question as to the difference in the expenditure upon furniture in different ports.

MR. PICTON: Not only furniture, but the difference in regard to other matters, such as fuel, fire, and water, insurance, and so on.

MR. JACKSON: Yes; the hon. Member desires to know the meaning of the disproportion, under these similar heads, in the case of London and in the case of Liverpool. I would remind him that the Customs and Inland Revenue Departments have their headquarters in London, and that of course the expenditure in London due to that fact is very much larger than it is in other ports. I do not think any comparison can be drawn between the Port of London and the Port of Liverpool. We cannot make any comparison of the expenditure which is necessary for these offices by comparing the imports and exports at the two ports, because, as I have said, the headquarters are in London, and the main business is concentrated in London. The management of all other offices in the country is conducted in London through the Headquarters Staff. We cannot draw a comparison between the two places named. The amounts given here are only the Estimate, and if the hon. Gentleman will look at the Appropriation Accounts he will see the details all set out.

MR. HANBURY (Preston): I hope that when this matter comes before us again we shall get some information upon the point raised by the hon. Gentleman opposite (Mr. Molloy). It is a point of great importance, because, in the first place, I do not think that the sum in question is so small as the hon. Gentleman the Financial Secretary to the Treasury seems to think. Take the case of last year, when the item charged in regard to the furniture bought for the Departments was nearly £20,000, whilst the extra receipts only amounted to £50. That sum can hardly represent the value of the furniture displaced by the purchase of this £20,000 worth of new furniture. I take it, therefore, that there must be a good deal of disused furniture that might be accounted for in some way or other, even for firewood. If there is an opportunity afforded, under the present arrangement, for pickings and "perquisites" on the part, I will not say of any of the higher officials, but even on the part of the smallest and lowest *employés*, it should be known and corrected.

MR. PLUNKET: I will inquire into the matter.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £19,440, County Court Buildings.

(6.) £3,737, Metropolitan Police Court Buildings.

(7.) £1,070, Sheriff Court Houses, Scotland.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £150,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1888, for the Survey of the United Kingdom, including the revision of the Survey of Ireland, Maps for use in proceedings before the Land Judges in Ireland, publication of Maps, and engraving the Geological Survey."

MR. ARTHUR O'CONNOR (Donegal, E.): On this subject I desire to ask one or two questions of the hon. Gentleman the Secretary to the Treasury, especially with regard to surveys in Ireland. According to the Report we have as to the progress of the Ordnance Survey for 1886, which has just been published, I find that a complaint is made that the survey maps already issued are not such as to be available for the particular business for which they are most required—namely, the delimitation of holdings, especially small ones. On page 4 I find it stated that the 1-inch 2,500 scale map has only been published for one county. For nearly the whole of Ireland, therefore, there is no survey on a sufficiently large scale for the valua-

tion and free sale and transfer of small parcels of land, and in the majority of counties there are no contour maps upon a proper scale to enable drainage and engineering works to be carried out. Considering that the Government are preparing to spend £50,000 on drainage works, and works of similar description in Ireland, it is of the first importance that these Survey and Ordnance maps should be as complete and on as large a scale as possible. On page 7 of the Report, to which I have already referred, I find it laid down that there is a general consensus of opinion that the revision of the survey of Ireland, now proceeding on the 6-inch scale, should be replaced by one on the scale of 1-inch in 2,500. The Valuation Acts provide that the Ordnance Survey maps shall be used in ascertaining the valuation, but the 6-inch scale maps are too small to show all the holdings. There are 70,000 holdings in Ireland of under two acres, and 100,000 so small that they cannot be given on the map. The completion of the large scale English survey affords a favourable opportunity for progress being made with the larger scale in Ireland. We have in Ireland for a long time felt the want of good Ordnance maps on a sufficiently large scale, but it has been perfectly useless for us to complain of that want as we have done year after year. I, therefore, do not seek to press this by any representation of my own. The Government have the official Report before them, and in the straightest and plainest and strongest terms they have it that, in view of the distinct and pressing national want, no orders have been issued for the supply of the larger survey and revision in Ireland, even though the work is completed in this country. I hope the right hon. Gentleman will give us information of a satisfactory character in regard to this. Then the next point with which I wish to deal is as to the survey maps. There have been a variety of complaints with regard to the issue of the Ordnance Survey maps. It has been complained of in particular that the Government give certain agents and privileged persons a monopoly of the sale of these maps from time to time, and that up to the present there has been no satisfactory plan of issuing these maps adopted. The system of giving Messrs. Stanford a practical monopoly is not looked on with favour by the survey officials, and the concluding observations of the Report are, that it is a most desirable thing that the Ordnance Survey maps should be better known in the country districts of England, and should be more generally used for local purposes, such as valuation for rating, than they are at present; but that this end will not be facilitated by the appointment of a sole agent who has no sufficient inducement to push the sale of the Government maps rather than his own in provincial towns. That is the position you are placed in, that actually the man who has the monopoly is interested in not pushing the sale of your maps, but in pushing the sale of his own. The consequence of this system is that these Ordnance Survey maps are not so well known as they should be in this country, particularly in the country districts.

MR. F. S. POWELL (Wigan): I hope the Committee will allow me to make a few remarks upon these Estimates; and, first of all, I desire to call the attention of my hon. Friend the Secretary to the Treasury, if he will kindly give it to me for a moment, to the form of the accounts. In examining these accounts, I find that there are certain charges made for salaries, whereas in the whole Estimates of this class the requirements are for structures only, and, if there is any charge made for personal attendance, it is only in connection with the keeping of structures in good order. On the next page the Committee will observe a series of charges for salaries, but I cannot find in this class any charge for salaries except for persons employed in the construction or maintenance of buildings. On the next page, under the head Science and Art, you find buildings alone dealt with; but when you come to that item afterwards, in another class of the Estimates, you find a charge for salaries in connection with the Geological Survey. It seems to me to be a point deserving my hon. Friend's attention that we now have the salaries for the Geological Survey in one class of the Estimates, and salaries for the Ordnance Survey in a different class of the Estimates. That is one of those points that my hon. Friend should give his attention to in drawing up the Esti-

mates for next year, but my object in rising was not so much to deal with that as to ask a question as to the progress of this Ordnance Survey. Hon. Members will be surprised when I tell them that it is now stated in the Report of the Ordnance Survey that it is nearly 100 years since the survey of this country was commenced, and the question I wish to ask is whether the survey of Great Britain commenced in 1791, will be completed in the year 1890? It is recommended that it should be completed in that year, and I wish to ask the Government whether the Estimate is on such a scale as to enable the survey to be completed in the year 1890, or 100 years after it was first authorized? I wish to ask the hon. Gentleman whether the Estimate actually placed upon the Table of the House, and which is the basis of this discussion is on such a scale that the survey will be completed in the year 1890? Then, I wish to call the hon. Gentleman's attention, if I may be permitted to do so for a moment, to the great importance of the immediate publication of this Survey. I quite agree with what fell from the hon. Gentleman opposite as to the diminution which has taken place in the sale of these maps. I point to that as a circumstance full of discouragement. What I wish to see is a large circulation of these maps—that all persons engaged in agricultural operations, whether as owners of land, as agents or as occupiers, should have the survey of their district at hand. I believe it would greatly tend to an increased knowledge of our own country, that the land would be better occupied, and that the capacities of the various soils would be better understood. I believe that we are deficient in this country in knowledge of the geography of our own land, and I believe that the free circulation of these maps would greatly tend to the promotion of that valuable knowledge. I find that though there are surveys completed in 42 counties the publication of maps is lagging behind, and I think the least the country could ask is that the publication of the maps should follow closely upon the accumulation of the information upon which the maps are based. It is a remarkable circumstance that the survey should be completed in Ireland and Scotland and not in England. That is one of the most curious illustrations of the way that Ireland and Scotland have gained upon us, and are in a position of more full information in respect of their own country than we are in England. ["No, no!"] Yes. The hon. Member opposite made reference not to the completion of the survey in Ireland, but to making progress with the survey on the larger scale. The survey on the small scale is is now complete. I think we ought to bear in mind the facts stated by the hon. Member that so far as the 6-inch maps are concerned there are 100,000 holdings in Ireland so small that they cannot be given on that map. That is a most remarkable circumstance of a statistical character—the extreme subdivision of the holdings in the sister country. The next point to which I wish to draw attention is one of great importance in the district and country with which I am connected—I refer to Lancashire and Yorkshire. Those counties are spoken of in the Report as being progressive counties, and everyone who knows what has taken place in this district is aware of the rapid progress which has been made, and is aware of what enormous changes have taken place. If you take up the Ordnance map of Lancashire or Yorkshire for any practical purpose you will find beyond a doubt that in order to render it useful you must add to it very considerably. In the lapse of time since the map was published the face of the country has undergone great changes, and what I would press upon the Government is that the revision of these maps should be advanced as rapidly as possible in these great centres of industry, so that we may have maps laid before us from time to time containing the latest information. Those maps only are of service to us which are not misleading—if they are misleading they are of little service to those engaged in the management of land. I would ask the hon. Gentleman the Secretary to the Treasury this question, whether the Report in my hand recognizes that a grant ought to be made this year on such a scale that the arrears of the revision should be cleared off in six years? What I would ask is, whether the grant now asked for is of such a magnitude that all these arrears will be cleared off in the course of six years? There ought to be a constant revision going on, and I am

sure that the period mentioned for revision is below the necessities of the case rather than above it. I am glad to have had an opportunity of making these few remarks. I do not wish to detain the Committee one moment longer than is necessary for my purpose, and I hope I may be forgiven for making these observations.

MR. BRADLAUGH (Northampton): Before the Secretary to the Treasury replies to the questions which have been addressed to him, I wish to draw his attention to a matter which I dare say will be in his memory as it was mentioned by me some months ago. I wish to recall to his mind the question I raised as to the discharge of some persons engaged in connection with the Ordnance Survey. I should like to know whether the discharge of those persons took place because the survey was near completion? I think I am correct in saying that on the occasion to which I refer he told me that that was the case; but I have been greatly puzzled on looking under Sub-head H, and fear there is some confusion in this matter, because it seems to me that there is here an increase asked for which is inconsistent with the discharge of officials owing to the fact that the survey is approaching completion. I should, therefore, like the hon. Member to say explicitly whether it is true that the survey is approaching completion, and, if so, what is the meaning of this increase which is now asked for? We have here a huge amount for salaries under the head of Public Works, and the point to which I refer is, to say the least of it, an eccentricity of bookkeeping.

MR. HANBURY (Preston): With regard to the observations made by the hon. Member for Wigan (Mr. F. S. Powell), I would point out that Ireland for a long time took the lead in the 6-inch survey. For a long period that survey was the principal one, but England is now taking advantage of the 1-inch 2,500 scale. It does seem to me that, looking at what is now going on in Ireland in connection with the land, and to the large number of small holdings in that country, that they should have a large scale Ordnance map as soon as possible. I will, therefore, back up the observations of the hon. Member for East Donegal (Mr. Arthur O'Connor). I should like to ask a question with regard to the issue of these survey maps in Ireland. It is said that there are a good many of these maps used by the Judges of the Land Courts in Ireland which have not yet been paid for, and I should like to know whether these arrears are increasing or decreasing? Then with regard to the observations which have been made by hon. Members as to the monopoly granted to Messrs. Stanford, I should like to ask whether that monopoly is to continue, and, if so, how long it is to last? The sale of maps is falling off. The amount realized is £4,000 less than the Estimate, and that would seem to show that the Government are not dealing with this matter in the best way. What commission do the Government pay their agent?

MR. CONYBEARE (Cornwall, Camborne): I wish to draw attention to a small matter—small, though important in one way—and to ask an answer from the Government. I am in a little difficulty with regard to it, because I do not know if it comes in this Vote or the next, which includes the Jermyn Street Geological Museum. The point I wish to raise appears to me to bear rather on the matter of the Geological Survey than on the matter of the buildings in Jermyn Street. I wish to ask if it is not possible in connection with the Geological Survey to make a collection for the Geological Museum——

THE CHAIRMAN: The Geological Survey does not come under this Vote.

MR. CONYBEARE: That is my difficulty. I see that under this Vote you have the expenses of the Ordnance Survey and of the engraving of the Geological Survey.

THE CHAIRMAN: The engraving is not the making of the survey.

MR. CONYBEARE: Then may I bring up the point I wish to mention in connection with the Vote on page 47—that is to say, on the Vote for 32, Jermyn Street, the School of Mines? I do not see why the Geological Survey is brought in at all under this Vote.

THE CHAIRMAN: It is under Class 3.

MR. F. S. POWELL. Yes; under Class 3, Science and Art Department.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): I think, perhaps, as a matter of conveni-

ence, I may be allowed to deal first with the matter raised by the hon. Member for Northampton (Mr. Bradlaugh). It is quite true that there has been a discharge of a certain number of officials because the survey was to be completed in 1890. The survey will be completed by 1890, and, therefore, a considerable number of what is called field men have been dismissed, for the reason that they were not wanted. Then the hon. Member drew attention to an increase in an item under Sub-head H. Well, the explanation of that may be found in the fact that under an Act passed last year there are certain valuations to be made in connection with tithe rent-charge. That work has been thrown on the Land Commission, and they have used, to a certain extent, some portion of the staff of this Office; therefore, the Vote has been increased in that way, but most of it will come back again in receipts from the other Office. With regard to the question raised by the hon. Member for Preston (Mr. Hanbury), I am afraid I cannot say there is much improvement in the position of the account, so far as arrears of payment for Ordnance Survey Maps by the Land Courts is concerned. The question has been before the Public Accounts Committee again, and steps have been taken and arrangements have been made which I think, if my memory serves me, have resulted in maps being made a first charge, so as to make the security for the recovery of the price of the maps as good as possible. I believe that this is to be a first charge on the estates in future. With regard to the point raised by the hon. Member for Wigan (Mr. F. S. Powell) as to the form of the accounts, I will look into it and see if anything can be done. The hon. Member asks whether the survey will be completed by 1890, and he asks that particularly in regard to the survey of the counties of Lancashire and Yorkshire. Of course, we all know that he is very much interested in those counties, and I may tell him that I believe the survey will be completed in 1890. The revision is proceeding, as a matter of fact, more rapidly than was anticipated. Provision is made in these Estimates for an expenditure of £15,000, which is the first expenditure upon the revision upon the new scale, and Lancashire and Yorkshire, I believe, are to be proceeded with first. I regret to say that I believe Lancashire is to be proceeded with before Yorkshire, but that is a merely personal matter. Then with regard to the method of distributing the maps and the agency of Messrs. Stanford, I may say with reference to the Report quoted by the hon. Member for East Donegal (Mr. Arthur O'Connor) that that is the Report of Colonel Wilson, and, if I remember rightly, it has been referred to the Stationery Office. The Stationery Office have, I believe, just reported upon it, and I am not sure that they entirely agree with the views of Colonel Wilson. It must be remembered that in that Report Colonel Wilson merely expresses his own individual opinion as head of the Department. He, no doubt, is anxious to see the sale of the maps proceed with greater rapidity; but, as a matter of fact, the alteration in the method of distributing the maps was made with that very object. Though it is true that an arrangement has been made with Messrs. Stanford constituting them what you may call sole agents—a privilege for which they pay, I think £600 a-year—they have in no sense a monopoly, nor ought the arrangement, nor is it believed that it will, make any reduction in the sale of maps. The country agents have still preserved to them the same privileges that they always possessed. They get 25 per cent on the sale of the maps.

MR. ARTHUR O'CONNOR: But Messrs. Stanford get 33⅓ per cent.

MR. JACKSON: That is true; but I am pointing out that the country agents get as much as they had before, and receive, therefore, as much encouragement as formerly. It was thought that by putting these maps into the hands of an agent who had a personal interest in their success, and who depended for his profit upon his own efforts to push them, the sale of the maps would be much larger in the future, rather than smaller. It is a fact that the sale of the maps has fallen off, and that condition of things must be remedied if possible; but still I would point out to the Committee that the fact is, that the sale of the maps was put into the hands of these people merely with the view of their pushing the sale.

MR. HANBURY: For how long?

MR. JACKSON: Seven years, I think.

MR. ARTHUR O'CONNOR: No, I believe it is for 10 years.

MR. JACKSON: I think I have now gone over all the points brought to my notice.

MR. ARTHUR O'CONNOR: The hon. Gentleman has not dealt with the survey in Ireland.

MR. JACKSON: I have not much information upon that subject. The question is entirely one of expenditure. I quite agree that it is desirable to push on that survey; but I am free to admit that acting on the instructions I received to cut down everything which could be cut down, this is one of the Votes I attempted to reduce. I shall be sorry if the House of Commons will not support me in that, because if the House of Commons says that a thing which ought to be done is not to be done, and that you are to take the opinions of the Heads of Departments as to the amount of money to be spent in those Departments, you will very much increase the expenditure of the country.

MR. ARTHUR O'CONNOR: I think, under these circumstances, as an Irish Member, those who recognize the reasonableness of the representations I have made, will consider me quite justified in moving the reduction of this Vote. The hon. Gentleman the Secretary to the Treasury says that he has mercilessly cut down wherever it has been found possible to cut down, and that he has reduced the Vote to which I have referred; but in this very Vote we have an item for the survey of Great Britain, and we find that the amount has been increased from £5,000 to over £15,000.

MR. JACKSON: I am afraid the hon. Member did not hear the explanation I gave the hon. Member for Northampton (Mr. Bradlaugh), who asked me to explain this increase, and to whom I stated it was owing to certain charges made on behalf of the Land Commission, which will ultimately be repaid.

MR. ARTHUR O'CONNOR: I heard that explanation, but what I object to is this, that whereas you are prepared to vote money to the extent of over £10,000 extra in the present year for the purpose of making progress with the survey in Great Britain, in the case of Ireland where the want of an improved survey is generally recognized, and is notorious, you are cutting down the expenditure. The want of the larger survey maps has been pointed out over and over again—it is getting worse and worse every year. It is of the most pressing importance, in view of the possibility of many fresh transactions in regard to the transfer of land in the immediate future, and in view also of the matter of arterial drainage, it is of the most vital importance that you should have a really reliable and detailed survey. I believe that in the works contemplated in the basins of the Shannon and the Bann, it will be necessary to spend large amounts of money on surveys. You have no surveys which can be used. You have completed the 6-inch survey, but not that on the scale of the 1-inch 2,500. Under the circumstances, I move the reduction of this Vote by £10,500, the extra amount to be devoted to Great Britain; not that I begrudge for a moment that expenditure, especially as it is money which will afterwards come back on repayment, but as as a protest against this system of readily and generously spending money on matters that excite public interest in England, and stingily contributing money for similar purposes in Ireland.

Motion made, and Question proposed,

"That the Item of £15,500, for the revision of the Survey of Great Britain, be reduced by £10,500."—(*Mr. Arthur O'Connor.*)

MR. JACKSON: I hope this Amendment will not be pressed. I gather from his remarks that the hon. Member believes that my statement was to the effect that I had cut down the Vote for Ireland. I did not say that; I was not for a moment thinking of Ireland. So far as Ireland is concerned, I made no alteration in the amount expended. There has been no restriction whatever made, so far as I know.

MR. ARTHUR O'CONNOR: Yes, there has; under Sub-head C, the Vote for £36,000.

MR. JACKSON: That is not for Ireland.

MR. ARTHUR O'CONNOR: Ireland is included.

MR. JACKSON: Certainly; but I thought the hon. Member was under the impression that I had cut down the sum

especially devoted to Ireland. I am quite at one with the hon. Gentleman that under the existing circumstances of Ireland, it would be very undesirable to limit the expenditure for the survey in that country. I regret to say that I have not got the Estimate papers here which bear upon this point; but I am under the impression that there has been no reduction; and if the hon. Member will accept my assurance for the moment, I shall be glad to look into the matter, and to do what I can to hasten on the carrying out of survey in Ireland.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET) (Dublin University): I think there has been no reduction in the expenditure on the survey of Ireland; but if there should be a little additional necessary expenditure on revision on the 25-inch, instead of the 6-inch scale, that will be merely a matter of cost. I understand the Report from which the hon. Member quoted was the Report for last year.

MR. ARTHUR O'CONNOR: For 1886.

MR. PLUNKET: There has hardly been time to make the change in obedience to that Report as yet; but, as I say, it is a matter of expense, and, as my hon. Friend has said, will be seen to by the Government, who will consider whether the recommendations can be carried out or not.

ADMIRAL SIR EDMUND COMMERELL (Southampton): Representing, as I do, the town in England where most of the surveys are prepared, I must strongly protest against any attempt made to take money away from that town in order to give it to Ireland. It may be very proper that the 25-inch survey should be made for Ireland. I think with the hon. Member for Wigan that as Ireland is cut up into such small holdings, the time may come when we may have to make, not a 25-inch, but a 50-inch survey; but, at the same time, I must protest against the course proposed. If Ireland wants money for the purpose of completing the 25-inch survey, I am sure that this House will give it; but I believe Parliament will not listen to such a monstrous proposition as that we should take away money from one constituency, or from one part of the United Kingdom, in order to hand it over to another. I have no doubt that the explanation given by the hon. Member the Secretary to the Treasury will strike terror into the hearts of a large number of the ordnance surveyors of Southampton. The hon. Gentleman says that the year 1890 will terminate all their labours; and that would probably throw a large number of most respectable men on the parish. That is the conclusion which may be drawn from the explanation we have heard to-night. I hope the Secretary to the Treasury will say a word or two from which these men may draw some consolation. A large establishment has been set up, and a large body of men has been employed; and I trust that these men may not be cast to the winds in 1890, more especially as we know that there are many counties in England where the survey already made requires revision. With regard to the sale of maps being in the hands of Messrs. Stanford, I have no doubt that this firm are excellent agents, and that they do the best they possibly can to increase the sale of those maps; but so far as I myself am concerned, I am altogether opposed to all monopolies, and I think that if the difference between the 25 per cent paid to the country agents and the 33⅓ per cent paid to Messrs. Stanford were handed over to the country agents, we should make more out of the sale of our maps. I should very much like to know why maps should be sent from Southampton to London to Messrs. Stanford, where Messrs. Stanford receive 33⅓ per cent for selling them, and that some of them should be sent back from London to Southampton, where the agents receive only 25 per cent for selling them.

GENERAL SIR GEORGE BALFOUR (Kincardine): I desire to invite attention to the fact that the Army Estimates are burdened with a large payment for the military pay of officers and soldiers employed on the survey.

THE CHAIRMAN: I must call the hon. and gallant Gentleman's attention to the question before the Committee, which is one for a reduction of the Vote.

GENERAL SIR GEORGE BALFOUR: Yes, Mr. Chairman, I was keeping in view that Motion, by pointing out that the whole cost of the survey was not clearly shown, because of the military Votes bearing a large sum in the shape

of military pay to officers and men employed, as these receive civil pay alone, borne by the civil branch. A reference to the explanatory notes will show that the estimated amount of military pay of the 29 officers and 451 non-commissioned officers and soldiers is £27,000 paid by the Army; whereas the Civil Estimates only bear £9,000 as remuneration, being only one-third of the charge borne by the Army Votes. This is a liability which ought not to be now thrown on the Army. I admit that the military pay has always existed, but that arose by the accident of the great survey of this Kingdom having been initiated in 1786 by an Artillery officer, whose expenditure for the survey work, being very small, was defrayed by the Board of Ordnance, and on the duties of that Board being taken over in 1855 by the Secretary of State for War, the then system of paying staff duties of the survey partly by military and partly by staff allowance continued to be charged on the Army Votes. Further, in 1870, when Mr. Cardwell transferred the survey to the Works Department from the War Office, the military pay, as at present, continued to be charged on the Army. That practice ought no longer to continue. The full pay and civil allowances now drawn by the military officers and men employed should all be charged in full on the Civil Estimates, because the work is for the people generally, and not for the military Service. I therefore urge that the Committee should, before diminishing the present Estimate, be made aware that the Civil Estimates do not show the full cost of the survey. I may here mention the large cost of the survey. Last year we voted more than £250,000 for the operations; whilst, 50 years ago, the sum voted was only £50,000. In 1870, under the War Office, it was increased to £120,000; on its transfer to the Works Department, it was raised by £30,000; and, year by year, the cost has swelled up to the present charge of nearly five times what the sum was in 1835-6. Now that the survey is finished, and revision only needed, I submit that the charge should be cut down to £100,000, including buildings and salaries.

MR. HANBURY: I do not quite understand the position of the Financial Secretary to the Treasury as to this 25-inch survey, and I think the point is a most important one. I do not know whether there is any definite estimate for the 25-inch survey of Ireland. If there is not, I say that it is much more important to have this 25-inch survey begun for Ireland at once than to have it continued in England, and I should be perfectly willing to a part of the English Vote being cut off, in order to facilitate this work in Ireland. Everyone can see that, in the present circumstances of Ireland, it is a most important matter that the survey of that country should be completed on the large scale.

MR. MOLLOY: The Committee should not lose sight of the monopoly of the sale of maps by Messrs. Stanford.

THE CHAIRMAN: That point is not now in Order. There is a Motion before the Committee.

COLONEL NOLAN (Galway, N.): I want to give another reason, which has not been submitted to the Committee by any of the Irish Members, why this survey in Ireland should be proceeded with. I do not wish to see the suggestion of the hon. Member for Preston (Mr. Hanbury), that the English survey should be stopped in order that the Irish one should be proceeded with, adopted. There are many counties in England that are already surveyed—25, I think; but in Ireland there are no rural districts surveyed on the 25-inch scale, but only a few towns. I believe I am accurate in that statement. This work ought to be proceeded with. The 6-inch scale is going out of date. I have often gone over villages in Ireland with the 6-inch scale in my hand, and have been scarcely able to recognize the face of the country—the houses marked on the maps or the enclosures of the fields. In very many places new houses have sprung up and old ones have disappeared, and the boundaries of the fields are changed and scarcely recognizable. Nearly all the enclosures have been altered. Great changes, of course, have also taken place in England—greater if possible. I remember, some years ago, going out with a surveying party from Sandhurst. We were looking for a certain road given on the map, and were unable to find it—that which was once a road being at that time occupied by growing trees. You must bear in mind that

these surveys in districts where rapid changes are taking place are only good for 40 or 50 years, at the expiration of which time it is necessary that they should be gone over again. It is, of course, easy to correct a map—much more easy to correct an old one than to prepare an entirely new one. The work of correcting the 25-inch survey will not cost as much as the original preparation of the 6-inch survey. As I have said, the 6-inch scale is going out of date. It was a very good 6-inch survey up to date, and at one time no doubt was extremely useful; but it has long ceased to be so. We have a 6-inch map, that is very good so far as the geometrical lines are laid down; but the details are out of date and are useless for modern purposes. It is understood everywhere that the 25-inch scale survey is a thing that should be undertaken and not left on individual estates to private proprietors. Details are what are wanted in these matters, and on the small 6-inch scale map, it is perfectly impossible to show the details you want. Why, if you were to send up a map on the 6-inch scale to the Irish Board of Works, they would not even ask you to put in the small drains. You could not do it, the map would not hold them; therefore you have to send in your maps with the word "drains" written upon them here and there. I think it extremely desirable, in the present circumstances of the country, that we should have a proper system of maps in Ireland, and I think we ought to receive an assurance that the 25-inch scale will be commenced for that country without delay. The cost of its preparation would be partly repaid by the sale of the maps, and we should not only have the satisfaction of possessing a large map, but we should have a map that was not out of date.

Mr. JACKSON: If I may be allowed I should like to make a suggestion which may possibly have the effect of getting the Committee out of a difficulty. It is hardly possible that anyone could know the various details of every Vote in connection with so large a subject as this, and therefore I would ask a little patience from the Committee. I will do the best I can in the matter, and on Report I will endeavour to make suggestions which will be received by hon. Members. I regret to say that I am unable to answer the questions with regard to this survey in Ireland which are put to me; but I will undertake this, that when the subject comes up on Report, I will be prepared to give the information hon. Gentleman require. When the question comes up on the next stage, I will state what has been done, and what it is intended to do.

Colonel NOLAN: Will the hon. Gentleman the Secretary to the Treasury (Mr. Jackson) also be prepared to state how many counties, besides the counties in England, are surveyed on the 25-inch scale?

Mr. JACKSON: I will.

Mr. ARTHUR O'CONNOR: Mr. Courtney, I admit that it is very unsatisfactory that we should have to come to anything like a judgment and go to a Division in the present incomplete state of our information; but, Sir, I wish to point out that the advantage of raising the issue here is that we may have the matter discussed at a time when the House is really in a position, so far as regards the hour, of debating it satisfactorily. The Report stage comes on at such an hour of the morning—1 or 2 or 3 o'clock—that we never have anything like a satisfactory discussion upon it. But I quite admit the disadvantage under which the hon. Gentleman the Secretary to the Treasury is at present placed, and I will accede to his proposal and ask leave to withdraw my Amendment. But before doing so I wish to point out what the Government have done. They want to effect a reduction of the Vote. Well, they have made a reduction of £36,000 from an item—C—which, if left alone, would have placed them in a position to proceed with the 25-inch survey. By cutting down the Estimate they are no longer in the position in which they might have been to continue this work. But where they want money for England they have no hesitation at all in increasing an item from £5,000 to £15,000. I hope that before the Report the hon. Gentleman will be in a position to inform the House that the work will, somehow or other, be taken up. That is the very least that ought to be done, and any other course would be attended by very great disadvantage. I beg to withdraw my Amendment.

Mr. BIGGAR (Cavan, W.): I would make an appeal to the Government, and suggest one reason why it is very de-

sirable that this 25-inch scale map should be put in hand as soon as possible. The Government are now lending very large sums of money to individual holders of very small holdings, in order to enable them to buy out their landlords. It is of the greatest importance that they should have large maps, so as to be able to define those small holdings properly; for what otherwise happens is, that they take a particular piece of ground and find out afterwards that it is some other piece altogether. This is a matter which should be settled, in view of the system now in operation, and which is likely to extend, of the buying up of large tracts of land occupied by a large number of occupiers, some of them being in the occupation of holdings of a very small extent of acreage. The parties who sell do not care, so long as they get their money, whether the Government will get it or not, and it is to the interest of the Government, far more than to the interest of the Irish people, that proper maps, on a considerable scale, should be made of these parts of Ireland.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I should like to know, Mr. Courtney, whether the Government are prepared to state now to the House that the 25-inch map for Ireland shall be commenced this year? It would be well if we could have an understanding on that point.

MR. JACKSON: I really am not in a position to say. I can only confess my ignorance and express my regret. I have, however, promised that in the Report stage I shall be prepared to make a statement on the subject.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. MOLLOY (King's Co., Birr): Certainly there can be no question that in Ireland it is absolutely necessary that every facility should be given for procuring these maps. I want to point out to the Secretary to the Treasury that at the present time we have in the Library of the House some of the finest surveys ever made in Ireland, and upon a very large scale indeed. They were made in 1808 and 1811 by Mr. Griffiths. You cannot buy them anywhere. I tried last year to get a copy, but there was only one copy for sale, and that was an incomplete copy. For that was demanded £8 8*s.*, which shows the value of the Report. Nothing would be more useful now than to have those surveys in our hands, and, if it were possible, the printed matter accompanying them also. I would suggest to the Secretary to the Treasury that, as the larger surveys which we ought to have, and which he has promised us, cannot be in our hands for some time, he might let us have a reprint of those old surveys. The cost would be very small indeed—it would come in under the expenditure here—with the methods of copying prints which they have now—and that would be invaluable for our purpose, and much cheaper than anything else. Perhaps he could let us have these. And now one word about the monopoly of Mr. Stanford. The reason assigned by the Government to-day, and the reason which was assigned for granting the monopoly originally, was that it was a means of increasing the circulation of maps in the country. But, as a matter of fact, from the day Mr. Stanford obtained the monopoly in 1886 until now, the circulation of the maps has decreased, and it has gone down as much as 10 or 15 per cent. The Government said, when the monopoly was granted, that it was better to put the maps in the hands of somebody who had agencies all over the country, as that would spread them over the country; but they forgot that it is not to the interest of Mr. Stanford to sell these maps at all. Mr. Stanford sells his own maps, and if you will go to his agencies you will find you can get any number of his maps ready on hand; but there is a considerable difficulty about getting the official maps. He only gets a percentage commission on the sale of the official maps, while on his own maps he, of course, gets the entire profit. Another point was mentioned by the Secretary to the Treasury. He said that Mr. Stanford paid a royalty to the Government of £500 a-year. That does not appear on the Estimates. I do not think Mr. Stanford does pay it; but if he does it should appear on the Estimates.

MR. HENNIKER HEATON (Canterbury): I think there is considerable dissatisfaction about this monopoly, and I should like to know how long it is to last?

MR. CONYBEARE (Cornwall, Camborne): One word about this survey in connection with mines. I do not know—I ask for information—as to whether the 25-inch scale applies to the Geological Survey as well as to the ordinary survey? If not, it would be desirable to have it so apply to the mineralogical maps of the country—it would greatly assist those who have any connection with mines. In America, the survey of minerals in all the principal States is on a scale of completeness quite unknown in this country; and it would be greatly to the advantage of the development of our mineral industries if we could have some scheme set on foot which would enable us to have a really good survey of mines and lodes of the different geological formations.

THE CHAIRMAN: Order, order! That would come under the Geological Survey Commissioners Vote.

DR. TANNER (Cork, Co. Mid.): I want an explanation of a certain item in this Vote, and I call attention to the sum under Sub-head 2, letter C. We find, practically speaking, that this year there has been a decrease in the pay of the several assistants, meresmen, and labourers amounting to the sum of £36,722. Well, now, Sir, I want to hear a little more about that. We find at the present time, with a Conservative Government in power, that probably for reasons of their own, which I will not debate, but merely touch upon *en passant*, there is a certain amount of economy to be practised. But it is begun at the wrong end.

MR. JACKSON: I can explain that in a moment. The reason why that decrease has taken place is because the survey is coming to an end. These men have, therefore, been discharged. But we have started a new revision so as to employ a portion of them.

DR TANNER: If that is the case, I will try and point out to the hon. Gentleman, if he will kindly grant me his attention, what ought to be done. It is not by cutting down the pay of these unfortunate labourers, working people, that he will really bring about the economy which he has certainly intended to try and get, but by commencing at the other end—at the commencement of the chapter—and cutting down the large sums granted to the superior individuals—those fine gentlemen who live at home at ease, and who are not workers working for their daily bread. Those are the people whose salaries should be cut down. I would not call attention to this were it not for the fact that in the course of these Estimates submitted to us day after day, we find practically on all occasions that it is the poor people—these labourers, assistants, &c., whose salaries are being attacked. Of course, I can quite understand the hon. Gentleman the Secretary to the Treasury rising in his place and stating that the survey is nearly at an end. Well, Sir, even if it is entirely at an end, we have heard in the course of the remarks made from these Benches on the opposite side of the House this afternoon a variety of reasons why there should be a fresh survey taken. We have been told, in connection with these ordnance maps which have hitherto been supplied in Ireland, that they have been found to be totally inadequate to the present state of affairs. We have been told, Sir, practically—and I am glad to see that the hon. Gentleman is now paying some little attention to what I am saying—that these maps are inadequate. But, Sir, if the maps are to be supplied as they should be, this staff should not be cut down. On the contrary, the staff should be kept on; and, Mr. Courtney, in a period of pressure like that which we are at present passing through there should certainly be—

It being a quarter of an hour before Six of the clock, the Chairman left the Chair to report Progress.

Resolutions to be reported *To-morrow.*

Committee also report Progress; to sit again upon *Friday.*

SHIPPING CASUALTIES (UNITED KINGDOM).

Copy *presented*,—of Shipping Casualties which occurred in the United Kingdom from 1st July 1884 to 30th June 1885, &c. [by Command]; to lie upon the Table.

TITHES COMMUTATION.

Return *presented*,—of all Tithes commuted and apportioned under the Acts

for the Commutation of Tithes [Address 30th June; *Viscount Wolmer*]; to lie upon the Table, and to be *printed*. [No. 214.]

TRAMWAYS (STREET AND ROAD).

Return *ordered*, "of Street and Road Tramways authorized by Parliament, showing the amount of capital authorized, paid up, and expended, the length of Tramway authorized, and the length open for the public conveyance of passengers, down to the 30th day of June 1887; the gross receipts, working expenditure, and net receipts, the number of passengers conveyed, and the number of miles run by cars, during the year ended the 30th day of June 1887; together with the number of horses, engines, and cars at that date (in continuation of Parliamentary Paper, No. 14, Session 2, 1886)."—(*Baron Henry De Worms.*)

Return *presented* accordingly; to lie upon the Table, and to be *printed*. [No. 215.]

House adjourned at five minutes before Six o'clock.

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LONDON; CORNELIUS BUCK AND SON, 22, PATERNOSTER ROW, E.C.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCXVI.

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EXPLANATION OF THE ABBREVIATIONS.

Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Fondoland, Question, Mr. Dillwyn; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *June* 16, 263

Africa (*West Coast*)
Cape Coast Castle—Mr. W. B. Griffiths, District Commissioner, Question, Mr. Atherley-Jones; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *July* 1, 1478
The Gambia—Action of the French at Badiboo, Question, Mr. Howorth; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *June* 20, 561

Agricultural Labourers' Holidays (Scotland) Bill
(*Mr. Thorburn, Mr. Barclay, Dr. Clark*)
c. Ordered; read 1° * *July* 4 [Bill 311]

Ainslie, Mr. W. G., *Lancashire, N. Lonsdale*
India—The Nizam of the Deccan—Concession of Mining Rights to the Deccan Company, 1303
Supply—Royal Parks and Pleasure Gardens, 628
Truck, Comm. *add. cl.* 1237

Allotments and Cottage Gardens Compensation Bill
(*Sir Edward Birkbeck, Mr. Finch Hatton, Sir Henry Selwin-Ibbetson, Mr. Gurdon, Viscount Curzon, Sir Savile Crossley, Mr. Norton*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 20, 680; Question put; A. 90, N. 4; M. 86 (D. L. 252) [1.40 A.M.] [Bill 167]
Committee—R.P.
Committee; Report *June* 30, 1412
Considered; read 3°, after short debate *July* 4, 1749 [Bill 306]
l. Read 1ª * (*Earl of Winchilsea and Nottingham*) *July* 5 (No. 155)

Allotments for Cottagers Bill [H.L.]
(*The Earl of Jersey*)
l. Read 2ª *June* 16, 224 (No. 109)

Anderson, Mr. C. H., *Elgin and Nairn*
Criminal Law Amendment (Ireland)—Alleged Violation of a Pledge by the Chief Secretary, 1610, 1612
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 80, 81
Criminal Law (Scotland) Procedure [Consolidated Fund], Comm. 1541
Crofters' Holdings (Scotland), 2R. 151; Comm. *add. cl.* 1358, 1368, 1370

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Anderson, Mr. C. H.—*cont.*
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Scotland—Crofters' Commission—Reduction of Rents, 50, 51

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Albany Barracks, Parkhurst, Isle of Wight—Unwholesome Water, Question, Dr. Cameron; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1771
Army Purchase Commission, 1870-1—*Compensation*, Question, Colonel Hughes-Hallett; Answer, The Financial Secretary, War Department (Mr. Brodrick) *July* 5, 1774
Brennan Torpedo, The, Questions, Sir William Crossman; Answers, The Secretary of State for War (Mr. E. Stanhope) *July* 4, 1601
Compulsory Retirement — Warrant of 1881, Question, Mr. Heneage; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 30, 1300
Contracts for Rations, &c.—Contract Prices, Question, Colonel Eyre; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 17, 400
"*Fire Picquet*"—*The Queen's Regulations—Fire Picquet at Netley*, Question, Mr. T. P. Gill; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 23, 761
The Re-organization in 1879, Question, Mr. Caleb Wright; Answer, The Financial Secretary, War Department (Mr. Brodrick) *July* 5, 1778
The Reviews at Aldershot and in London, Question, Viscount Ebrington; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 16, 254; Questions, Mr. Cunninghame Graham; Answers, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1786

Stores
Exhaustion of Stores at Malta in 1882, Questions, Colonel Blundell, Lord Randolph Churchill; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 14, 42; Statement, The Secretary of State for War (Mr. E. Stanhope) *June* 16, 276
Issue of Hides for the Cavalry and Artillery, Questions, Colonel Hughes-Hallett, Mr. Hanbury; Answers, The Surveyor General of Ordnance (Mr. Northcote) *July* 5, 1775
Purchase of Stores, Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 28, 1148
Supply of Cement to Trincomalee, Question, General Sir William Crossman; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 16, 249
Royal Commission on Warlike Stores, Questions, Mr. Hanbury; Answers, The Surveyor General of Ordnance (Mr. Northcote), The First Lord of the Admiralty (Lord George Hamilton) *June* 27, 1038

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Aldershot—The Guards' Camp at Pirbright, Question, Viscount Midleton; Answer, The Under Secretary of State for War (Lord Harris) *June* 20, 539; Question, Lord Sandhurst; Answer, The Under Secretary of State for War (Lord Harris) *July* 1, 1428

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Honorary Colonels — Sir Pertab Singh—Prince Henry of Battenberg, Questions, Mr. Labouchere, Mr. Conybeare; Answers, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1790

Horse Artillery of First Army Corps, Question, Colonel Hughes-Hallett; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1776

Medical Staff, Question, Dr. Farquharson; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1776;—*Surgeon Major Sandford Moore*, Question, Dr. Tindal Robertson; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1778

Surgeons—Dates of Commissions, Question, Dr. Farquharson; Answer, The Financial Secretary, War Department (Mr. Brodrick) *July* 4, 1587

Ordnance Inquiry Commission—Lieutenant Colonel Hope and Captain Armit, Questions, Sir William Crossman; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 30, 1308

Regimental Bands at Political Fêtes—The Dorsetshire Regiment, Question, Mr. Bradlaugh; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 30, 1296

Attendance of Troops and Bands at Sheffield on the Jubilee Celebration, Question, Mr. Howard Vincent; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 1, 1481

Royal Military Academy, Woolwich, Mess Fund of the, Question, Colonel Hamilton; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 14, 48

Royal Artillery, Garrison Brigades of the, Question, Captain Cotton; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 27, 1020

Small Arms Factory, Enfield—Discharge of Workmen, Questions, Mr. J. Rowlands, Mr. Pickersgill; Answers, The Surveyor General of Ordnance (Mr. Northcote) *June* 30, 1312; Questions, Mr. Pickersgill, Mr. Hanbury; Answers, The Surveyor General of Ordnance (Mr. Northcote) *July* 1, 1491

War Services, Administration of the—Lord Randolph Churchill at Wolverhampton, Questions, Sir Lewis Pelly, Lord Randolph Churchill, Mr. Arthur O'Connor, Mr. Hanbury; Answers, The Secretary of State for War (Mr. E. Stanhope), The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 270; Questions, Admiral Mayne, Mr. Henry H. Fowler; Answers, Mr. Speaker, The First Lord of the Admiralty (Lord George Hamilton) *June* 23, 777;—*Official Statement*, Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 28, 1166

ORDNANCE DEPARTMENT

Contract for Cartridges, Question, Mr. Hanbury; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 14, 40

Contracts for Sword Bayonets, Questions, Mr. Hanbury, Mr. Mundella; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 14, 41

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The New Sword Bayonets, Questions, Major Rasch, Mr. Hanbury, Mr. Bradlaugh; Answers, The Secretary of State for War (Mr. E. Stanhope); Question, Mr. T. M. Healy [No reply] *June* 17, 402; Question, Major Rasch; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 23, 765

Defective Weapons, Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 28, 1155

Designers of the 110-ton and 43-ton Guns, Question, Mr. Caleb Wright; Answer, The Surveyor General of Ordnance (Mr. Northcote) *July* 5, 1777

Quick-Firing Machine Guns, Questions Captain Cotton, Sir Charles Palmer; Answers, The Surveyor General of Ordnance (Mr. Northcote) *June* 27, 1020

Supply of Powder in Store, Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 4, 1594

The Surveyor General, Question, Mr. Hanbury; Answer, The Secretary of State for War (Mr. E. Stanhope) *July* 1, 1489

ARMY (INDIA)

The Medical Staff, Question, Sir Walter Foster; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 17, 394

The Deputy Surgeon General—The "Half Staff" Allowances, Question, Sir Walter Foster; Answer, The Under Secretary of State for India (Sir John Gorst) *July* 1, 1477

Officers' Allowances and Pensions—Relative Rate of Payment in India and in England, Question, Mr. King; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 24, 925

ARMY (AUXILIARY FORCES)

The Militia—Tent Accommodation, Question, Sir Henry Havelock-Allan; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 24, 931

The Volunteers — Shooting of Volunteers, Question, Mr. Salt; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 16, 244

Army (Ireland)—Dublin Garrison

Moved, "That there be laid before the House a nominal Return of all cases of febrile and respiratory disease which have occurred in the Dublin Garrison since 1st January 1881, distinguishing in each case the barracks" (*The Earl Beauchamp*) *June* 23, 749; after short debate, Motion agreed to

Army—Patterns for Warlike Stores—Military Administration

Moved to resolve, "That it is desirable to appoint a 'Commission of high authority' (as recommended in paragraph 197 of the Report of the Royal Commission appointed 'to inquire into the system under which patterns of warlike stores are adopted, and the stores obtained and passed for Her Majesty's Service') to consider and determine the important questions raised in

Army — Patterns for Warlike Stores—Military Administration—cont.
that Report, as well as those which the Commissioners felt were 'beyond their province to discuss'" (*The Lord Chelmsford*) *June* 28, 1127 ; after debate, Motion withdrawn

ARRAN, Earl of
Irish Land Law, Report, *cl.* 16, Amendt. 1473, 1475

ASHBOURNE, Lord (Lord Chancellor of Ireland)
Irish Land Law, Report, 1441, 1443 ; *cl.* 1, 1465 ; *cl.* 4, 1469 ; *cl.* 13, 1473 ; *cl.* 16, 1475 ; *cl.* 20, *ib.*

ATHERLEY-JONES, Mr. L., *Durham, N.W.*
Africa (West)—Cape Coast Castle —Mr. W. B. Griffiths, District Commissioner, 1478
Coal Mines, &c. Regulation, Comm. 631 ; *cl.* 8, 788 ; *cl.* 14, 957 ; Amendt. 964 ; *cl.* 21, 999
Law and Police (Metropolis)—Arrest of Miss Cass, 1491, 1492, 1493, 1610, 1782, 1784 ; Motion for Adjournment, 1796, 1805, 1823

ATKINSON, Mr. H. J., *Boston*
Parliamentary Elections (Seamen's Vote), 2R. 1757

ATTORNEY GENERAL (*see* WEBSTER, Sir R. E.)

ATTORNEY GENERAL FOR IRELAND (*see* HOLMES, Right Hon. H.)

Australian Colonies, The—French Occupation of the New Hebrides
Questions, Mr. Bryce ; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 30, 1309

Austro-Hungarian Emigrants to England
Question, Mr. Pickersgill ; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 28, 1164

BADEN-POWELL, Mr. G., *Liverpool, Kirkdale*
Jubilee Year of Her Majesty's Reign, Celebration of—Review at Aldershot, 1154
Postal Arrangements in the Northern Pacific —Alternative Mail Service *vid* Vancouver, 1317

BAIRD, Mr. J. G. A., *Glasgow, Central*
Caledonian Railway, Consid. Amendt. 12, 14

BALFOUR, Lord (A Lord in Waiting)
Allotments for Cottagers, 2R. 233
Markets and Fairs (Weighing of Cattle), Comm. *cl.* 8, Amendt. 1125 ; *add. cl. ib.* ; 3R. 1578
Metropolitan Open Spaces Acts Extension, 2R. 1124

BALFOUR, Right Hon. A. J. (Chief Secretary to the Lord Lieutenant of Ireland), *Manchester, E.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 115, 117, 118, 124, 131, 142, 143 ; Motion for reporting Progress, 151, 174, 175, 423, 426, 430, 431, 432, 449, 456, 457, 478 ; Consid. *add. cl.* 1042, 1063, 1064, 1066, 1068, 1099, 1174, 1262 ; *cl.* 1, Amendt. 1353
Ireland—Questions
Board of National Education—Mr. Fitzgerald, late Inspector, 1589
Commissioners of National Education—Grievance of the National Teachers, 1592, 1593 ;—Supply of School Books, 1593
Criminal Law Amendment, 1501 ;—Alleged Violation of a Pledge by the Chief Secretary, 1611, 1612, 1613 ;—Amendments, 1597
Dispensaries—Dispensary District of Kilshannig, 1590
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Riots and Disturbances—Celebration of the 1st of July (Belfast), 1500

BALFOUR, Right Hon. J. B., *Clackmannan, &c.*
Coal Mines, &c. Regulation, Comm. *cl.* 14, 943

BALFOUR, General Sir G., *Kincardineshire*
Belfast Main Drainage, Lords Amendts. 1586
Scotland—Local Taxation Returns, 1021, 1307, 1606
Supply—Public Buildings, &c. in Great Britain, 1838, 1839, 1847, 1857
Survey of the United Kingdom, &c. 1904

BANGOR, Bishop of
Pluralities Act Amendment Act (1885) Amendment, Comm. *cl.* 1, 373

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Question, Mr. Kimber; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *July* 4, 1591

BARCLAY, Mr. J. W., *Forfarshire*
Cultivation of Waste Lands, Res. 1515

BARNES, Mr. A., *Derbyshire, Chesterfield*
Coal Mines Regulation, Comm. *cl.* 6, 740 ; *cl.* 8, 830, 833, 835 ; *cl.* 13, 879 ; *cl.* 14, 957 ; *cl.* 17, 984

BARTLEY, Mr. G. C. T., *Islington, N.*
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Jubilee Thanksgiving Service (Westminster Abbey)—Admission of Women Representatives, 413
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Supply—Customs, Inland Revenue, Post Office, &c. 1888

BARTTELOT, Colonel Sir W. B., *Sussex, N.W.*
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Law and Justice (England and Wales)—Discontinuance of the Civil Assizes in certain Counties, 1160, 1792
Parliament—Business of the House, 58
Parliament—Orders of the Day, Res. 1629

BAUMANN, Mr. A. A., *Camberwell, Peckham*
Parliament—Business of the House, 1039

BEAUCHAMP, Earl
Dublin Garrison, Motion for a Return, 749, 754

Belfast Main Drainage Bill (by Order)
c. Questions, Mr. Sexton, Mr. T. W. Russell, Mr. Johnston ; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 17, 420
Order read, for resuming Adjourned Debate on Question [20th June], "That the Lords' Amendments be now taken into Consideration ;" Question again proposed ; Debate resumed *July* 4, 1580 ; after short debate, Amendt. to leave out "now," add "Thursday" (*Mr. M. J. Kenny*) ; Question proposed, "That 'now,' &c. ;" after short debate, Question put, and negatived ; word "Thursday" added ; Main Question, as amended, put, and agreed to

BELMORE, Earl of
Colonial Service (Pensions), Comm. 6
First Offenders, 2R. 1765
Irish Land Law, 3R. 1568

BENTINCK, Right Hon. G. A. C., *Whitehaven*
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Navy—H.M.S. "Surprise"—Disappearance of Commander Le Strange, 1610

BIGGAR, Mr. J. G., *Cavan, W.*
Allotments and Cottage Gardens Compensation, Consid. *cl.* 5, 1754
Merchandise Marks Law Consolidation and Amendment, Comm. 1546 ; *cl.* 4, 1745
Parliament—Orders of the Day, Res. 1652
Parliamentary Elections (Seamen's Vote), 2R. 1760
Supply—Survey of the United Kingdom, &c. 1908

BIRKBECK, Sir E., *Norfolk, E.*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 2, 1412 ; *cl.* 4, 1414 ; *cl.* 5, Amendt. *ib.*, 1415, 1416, 1420, 1421 ; *cl.* 6, Amendt. 1423 ; *cl.* 8, 1424 ; Consid. *cl.* 5, 1750, 1755 ; 3R. *ib.*
Customs and Inland Revenue, Comm. *add. cl.* 507, 516
North Sea Liquor Traffic—Conference at the Hague, 1776

BLAKE, Mr. T., *Gloucester, Forest of Dean*
Coal Mines, &c. Regulation, Comm. *cl.* 14, Amendt. 943, 945, 946, 947, 965, 967

BLANE, Mr. A., *Armagh, S.*
Ireland — Magistracy — Mr. Hunt Chambre, J.P. 922
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BLANTYRE, Lord
Earl of Mar, Motion for Printing a Petition, 1288

BLUNDELL, Colonel H. B. H., *Lancashire, S.W., Ince*
Coal Mines, &c. Regulation, Comm. 686 ; *cl.* 8, 728, 797, 798, 836, 837 ; *cl.* 13, 848 ; *cl.* 14, 950 ; *cl.* 19, 990
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Board of Trade — Captain Christian, Principal Officer at Queenstown
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BOLTON, Mr. J. C., *Stirling*
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BORTHWICK, Sir A., *Kensington, S.*
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BRADLAUGH, Mr. C., *Northampton*
Burmah (Upper)—Ruby Mines, 409, 1027
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BRIGHT, Mr. J., *Manchester, S. W.*
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BRIGHT, Mr. W. L., *Stoke-upon-Trent*
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BRISTOWE, Mr. T. L., *Lambeth, Norwood*
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BRODRICK, Hon. W. St. J. F. (Financial Secretary, War Department), *Surrey, Guildford*
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BROOKFIELD, Mr. A. M., *Sussex, Rye*
Parliament—Orders of the Day, Res. 1633

BROWN, Mr. A. H., *Shropshire, Wellington*
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BUCHANAN, Mr. T. R., *Edinburgh, W.*
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BUCKINGHAM AND CHANDOS, Duke of (Chairman of Committees)
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The Ruby Mines, Questions, Mr. Bradlaugh ; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 17, 409 ; Questions, Mr. Bradlaugh ; Answers, The Under Secretary of State for India (Sir John Gorst) *June* 27, 1027

BURT, Mr. T., *Morpeth*
Coal Mines, &c. Regulation, Comm. 633 ; *cl.* 4, Amendt. 706 ; *cl.* 6, 734 ; *cl.* 8, 822 ; Amendt. 834, 835 ; *cl.* 13, 844, 863, 870, 874, 880 ; *cl.* 14, 943 ; Amendt. 952, 966 ; *cl.* 15, Amendt. 968, 969 ; *cl.* 17, 984, 988 ; *cl.* 21, Amendt. 994, 996
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BUXTON, Mr. S. C., *Tower Hamlets, Poplar*
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BYRNE, Mr. G. M., *Wicklow, W.*
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Criminal Law (Scotland) Procedure (No. 2), Comm. *cl.* 11, 1382 ; *cl.* 36, 1387 ; *cl.* 39, 1392 ; *cl.* 44, 1396 ; *cl.* 55, 1400 ; *cl.* 66, 1406 ; *cl.* 72, 1407 ; *cl.* 77, 1408
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Post Office Officials — Higher and Lower Grades, 411
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CAMERON, Dr. C., *Glasgow, College*
Crofters Holdings (Scotland), Comm. *add. cl.* 1365
Criminal Law (Scotland) Procedure (No. 2), Comm. Amendt. 1370, 1380 ; *cl.* 8, Amendt. 1381 ; *cl.* 11, *ib.* ; *cl.* 13, 1383 ; *cl.* 15, Amendt. 1384 ; *cl.* 17, Amendt. *ib.*, 1385 ; *cl.* 38, 1389 ; *cl.* 39, Amendt. 1390, 1391 ; *cl.* 44, Amendt. 1393 ; *cl.* 55, 1399, 1401 ; *cl.* 63, Amendt. 1405
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CAMERON, Mr. J. M., *Wick, &c.*
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CAMPBELL-BANNERMAN, Right Hon. H., *Stirling, &c.*
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Canada — Changes in the Tariff — The Correspondence
Address for "Correspondence with the Canadian Government respecting the proposed changes in the tariff" (*The Lord Lamington*) *July* 4, 1550; after short debate, Address agreed to

CAREW, Mr. J. L., *Kildare, N.*
Ireland—Land Commission Courts—Sittings at Roscommon—Appeals from Co. Longford, 556

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CASTLETOWN, Lord
Irish Land Law, Report, *cl.* 7, 1472

Central Asia
Afghanistan, Affairs of, Question, Mr. Pickersgill; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 14, 45; Question, The Earl of Rosebery; Answer, The Secretary of State for India (Viscount Cross) *June* 28, 1122

CHAMBERLAIN, Right Hon. J., *Birmingham, W.*
Law and Police (Metropolis)—Arrest of Miss Cass, 1493, 1783, 1808

CHANCE, Mr. P. A., *Kilkenny, S.*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1419, 1420; 3R. 1757
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 66, 69; Amendt. 70, 71, 73, 74, 85, 86, 87, 88, 134, 149, 151, 168, 169, 173, 174, 182, 189, 205, 206, 216, 219, 422, 438, 455, 456, 457, 458, 466, 468, 469, 470, 471, 472, 474, 475; Consid. *add. cl.* 1075, 1079, 1081, 1083, 1177, 1194, 1209, 1213, 1221, 1267, 1268, 1275
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Poor Relief Inquiry Commissioners — Financial Condition of the Unions—Distress in Connaught, 1291
Merchandise Marks Law Consolidation and Amendment, Comm. 1547; *cl.* 2, Amendt. 1727, 1728, 1730; *cl.* 3, 1736; *cl.* 4, 1741, 1747
Pauper Lunatic Asylums (Ireland) Superannuation, Comm. *cl.* 3, 1112, 1113, 1115, 1116, 1117, 1118
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CHANCELLOR OF IRELAND, The LORD (*see* ASHBOURNE, Lord)

CHANCELLOR of the DUCHY of LANCASTER (*see* MANNERS, Right Hon. Lord J. J. R.)

CHANCELLOR of the EXCHEQUER (*see* GOSCHEN, Right Hon. G. J.)

CHANNING, Mr. F. A., *Northampton, E.*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 4, 1414; *cl.* 6, Amendt. 1422, 1423; *cl.* 8, Amendt. *ib.*; Consid. *cl.* 5, 1754; 3R. 1755
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CHAPLIN, Right Hon. H., *Lincolnshire, Sleaford*
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Charity Commissioners
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Tonbridge School, Question, Mr. Conybeare; Answer, The Vice President of the Council (Sir William Hart Dyke) *June* 27, 1025

CHELMSFORD, Lord
Patterns of Warlike Stores—Military Administration, Res. 1127, 1138

CHILDERS, Right Hon. H. C. E., *Edinburgh, S.*
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Coal Mines, &c. Regulation, Comm. *cl.* 4, 723; *cl.* 6, 739; *cl.* 8, 815; *cl.* 14, 939; *cl.* 19, 993
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Law and Police (Metropolis)—Arrest of Miss Cass, 1814, 1815, 1821
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CHILDERS, Right Hon. H. C. E.—*cont.*
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Christchurch (Southampton) Charter (Correction of Error) Bill [H.L.]
(*Sir William Hart Dyke*)
c. Committee; Report *June* 24, 1005
Read 3° * *June* 27 [Bill 209]
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. 55]

Church Estates Commissioners
Vacant Land, Bream's Buildings, Chancery Lane, Question, Mr. Channing; Answer, Sir Henry Selwin-Ibbetson *June* 16, 260

CHURCHILL, Right Hon. Lord R. H. S., *Paddington, S.*
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Law and Police (Metropolis)—Arrest of Miss Cass, 1819, 1820
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Clerks in the Prisons Department, Question, Mr. Norris; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 28, 1162
Lower Division Clerks—Competitive Examinations—The Treasury Minute of December last, Question, Mr. Pickersgill; Answer, The Secretary to the Treasury (Mr. Jackson) *June* 16, 269
Promotion, Question, Mr. Lawson; Answer, The Secretary to the Treasury (Mr. Jackson) *July* 5, 1790

CLANCY, Mr. J. J., *Dublin Co., N.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, Amendt. 61, 63, 65, 117, 119, 138, 163, 173, 180, 207, 219, 446, 452, 463, 466; Consid. *add. cl.* 1172, 1173, 1175, 1176, 1180; Motion for Adjournment, 1220, 1259, 1260
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Law and Police (Metropolis)—Arrest of Miss Cass, 1830
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CLARK, Dr. G. B., *Caithness*
Criminal Law (Scotland) Procedure (No. 2), Comm. *cl.* 44, 1396; *cl.* 45, 1398; *cl.* 55, 1401; *cl.* 77, 1407, 1408
Criminal Law (Scotland) Procedure [Consolidated Fund], Comm. 1543

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CLARK, Dr. G. B.—cont.
Crofters Holdings (Scotland), Comm. 1109; *cl.* 2, 1355, 1357; *add. cl.* 1367
Cultivation of Waste Lands, Res. 1523
Egypt—Anglo-Egyptian Convention—Ratification, Motion for Adjournment, 1337
Supply—Furniture of Public Offices, Great Britain, 1853
Truck, Comm. *add. cl.* 1224, 1232; Postponed *cl.* 3, 1249; Motion for reporting Progress, 1252, 1254; Amendt. 1255, 1257

CLARKE, Sir E. G. (Solicitor General), *Plymouth*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 123; Consid. *add. cl.* 1181, 1202, 1203, 1268

CLONCURRY, Lord
Irish Land Law, Report, *cl.* 5, Amendt. 1471

Coal Mines, &c. Regulation Bill
Question, Mr. J. E. Ellis; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 20, 563; Question, Sir Joseph Pease; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 23, 780;—*The 19th Section*, Question, Mr. Arthur O'Connor; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 14, 37

Coal Mines, &c. Regulation Bill
(*Mr. Secretary Matthews, Mr. Stuart-Wortley*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 20, 632; after debate, Moved, "That the Debate be now adjourned" (*Mr. Donald Crawford*); after further short debate, Question put, and agreed to; Debate adjourned
Debate resumed *June* 22, 632; after debate, Question put, and agreed to; Committee—R.P. [Bill 130]
Committee [Second Night]—R.P. *June* 23, 785
Committee [Third Night]—R.P. *June* 24, 935

COBB, Mr. H. P., *Warwick, S.E., Rugby*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1418
Jubilee Year of Her Majesty's Reign, Celebration of—Royal Procession—Provincial Press, 559, 560

COLCHESTER, Lord
Land Transfer, Comm. *cl.* 39, 1013

COLLINGS, Mr. J., *Birmingham, Bordesley*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1415, 1417; *cl.* 8, 1425; Consid. *cl.* 5, 1752, 1754

COLERIDGE, Lord (Lord Chief Justice of England)
First Offenders, 2R. 1767
Parliament—Judgments of this House—Notifications to Divisions of the High Court of Justice and to the Court of Appeal, Res. 1283

COLOMB, Captain J. C. R., *Tower Hamlets, Bow, &c.*
Post Office — Postal Arrangements in the Northern Pacific—Alternative Mail Service *viâ* Vancouver, 1317
Post Office—East India and China Mail Contract, Res. 1721
Water Companies (Regulation of Powers), 2R. 1760

Colonial Judgments, &c.—Legislation
Question, Mr. Osborne Morgan; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *July* 1, 1488

Colonial Service (Pensions) Bill
(*The Earl of Onslow*)
l. Committee; Report, after short debate *June* 14, 4 (No. 98)
Read 3ª * *June* 16
Royal Assent *July* 5 [50 & 51 *Vict.* c. 13]

COLONIES—Secretary of State for (*see* HOLLAND, Right Hon. Sir H. T.)

COLONIES—Under Secretary of State for (*see* ONSLOW, Earl of)

COLVILLE of CULROSS, Lord
Jubilee Thanksgiving Service (Westminster Abbey)—Seating of Peers—Precedence, 1285

COMMERELL, Admiral Sir J. E., *Southampton*
Jubilee Year of Her Majesty's Reign, Celebration of—Satisfactory State of Public Order, 780
Mad Dogs—Rabies Order of 1886, 763
Navy—North American Station—Torpedo Boats for Halifax, 762
Post Office—East India and China Mail Contract, Res. 916
Supply—Survey of the United Kingdom, &c. 1903

COMMINS, Dr. A., *Roscommon, S.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 94; Amendt. 108, 110, 120, 164, 185, 191, 211, 215, 219, 439; Consid. *add. cl.* 1181, 1186, 1193, 1204, 1212, 1260, 1268, 1269
Poor Law (England and Wales)—Deportation of a Pauper from England to Ireland, 248

COMMITTEE OF COUNCIL ON EDUCATION—Vice President (*see* DYKE, Right Hon. Sir W. H.)

Commons Regulation (Ewer) Provisional Order Bill
(*Earl Brownlow*)
l. Committee *; Report *June* 14 (No. 108)
Read 3ª *June* 16
Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxvi]

Commons Regulation (Laindon) Provisional Order Bill
(*Earl Brownlow*)
l. Committee *; Report *June* 14 (No. 107)
Read 3ª * *June* 16
Royal Assent *July* 5 [50 & 51 Vict. c. lxxvii]

Consolidated Fund (No. 2) Bill
(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*)
c. Resolution in Committee *June* 27
Resolution reported, and, after short debate, agreed to; Bill ordered; read 1° *June* 28, 1223
Read 2° * *June* 30
Committee *; Report *July* 1
Read 3° * *July* 4
l. Read 1ª *; read 2ª; Committee negatived; read 3ª *July* 5
Royal Assent *July* 5 [50 & 51 *Vict.* c. 14]

Contagious Diseases (*Animals*) *Acts*
Carriage of Cattle on Railways, Question, Mr. O'Doherty; Answer, The Chancellor of the Duchy of Lancaster (Lord John Manners) *June* 14, 47
Free Admission of Dutch Cattle, Question, Mr. Montagu; Answer, The Under Secretary of State for the Home Department (Mr. Stuart-Wortley *June* 27, 1024
Licences for Importation of Irish Cattle, Question, Mr. O'Doherty; Answer, The Chancellor of the Duchy of Lancaster (Lord John Manners) *June* 14, 46

Copyhold Enfranchisement Bill [H.L.]
(*The Lord Hobhouse*)
l. Report of Select Committee *June* 20 [No. 128]
Bill reported * *June* 23 (Nos. 13-129)

CONWAY, Mr. M., *Leitrim, N.*
Ireland—Magistracy—Major Gosselin, R.M. 1299
Piers and Harbours—Harbour Accommodation in Donegal, 1530
Jubilee Year of Her Majesty's Reign, Celebration of—Bank Holiday—Adjournment of the House, 677
Navy—Dockyards—Alleged Misappropriation of Government Articles at Haulbowline Works, 392

CONYBEARE, Mr. C. A. V., *Cornwall, Camborne*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1421; *cl.* 8, 1426; Consid. *cl.* 5, Amendt. 1750, 1752
Charity Commissioners — Tonbridge School, 1025
Christchurch (Southampton) Charter (Correction of Error), Comm. *cl.* 2, 1005
Coal Mines, &c. Regulation, Comm. *cl.* 8, 820
Egypt — Anglo-Egyptian Convention, 1038, 1159, 1160;—Ratification, Motion for Adjournment, 1336
Law and Police (Metropolis)—Arrest of Miss Cass, 1782, 1783

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CONYBEARE, Mr. C. A. V.—*cont.*
Parliament—Business of the House, 1007
Parliamentary Elections (Seamen's Vote), 2R. 1759
Royal Titles—Indian Titles, 1782
Rural Sanitary Districts—Local Rates Assessment—Rating of Demesnes, Mansions, and Parks, 1525
Supply—Houses of Parliament, 1670, 1671
Royal Parks and Pleasure Gardens, 607, 612, 621
Survey of the United Kingdom, &c. 1898, 1911
Truck, Comm. *add. cl.* 1228, 1234, 1237, 1241; Postponed *cl.* 3, 1251, 1253, 1254, 1256
War Office—Honorary Colonels—Sir Pertab Singh—Prince Henry of Battenberg, 1790

CORRY, Sir J. P., *Armagh, Mid*
Belfast Main Drainage, 421

COSSHAM, Mr. H., *Bristol, E.*
Coal Mines, &c. Regulation, Comm. *cl.* 6, 743; *cl.* 13, 851
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 85
Law and Police (Metropolis)—Arrest of Miss Cass, 1784
Rural Sanitary Districts—Local Rates Assessment—Rating of Demesnes, Mansions, and Parks, 1533
Supply—Furniture of Public Offices, Great Britain, 1859
Public Buildings, &c. in Great Britain, 1843
Royal Parks and Pleasure Gardens, 606

COTTON, Capt. E. T. D., *Cheshire, Wirral*
Admiralty — H.M.SS. "Sultan" and "Inflexible"—Service Ammunition, 1019
Army—Garrison Brigades of the Royal Artillery, 1020
War Office (Ordnance Department)—Quick-Firing Machine Guns, 1020

County Courts Consolidation Bill [H.L.]
(*Mr. Solicitor General*)
c. Read 1° * *June* 20 [Bill 294]

COURTNEY, Mr. L. H. (Chairman of Committees of Ways and Means and Deputy Speaker), *Cornwall, Bodmin*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1420, 1422
Belfast Main Drainage, Lords Amendts. 1586
Christchurch (Southampton) Charter (Correction of Error), Comm. *cl.* 2, 1005
Coal Mines, &c. Regulation, Comm. *cl.* 4, 712; *cl.* 5, 724; *cl.* 8, 792, 826, 838; *cl.* 9, 839; *cl.* 13, 862; *cl.* 14, 946, 963; *cl.* 16, 974; *cl.* 17, 980, 985; *cl.* 21, 1005
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 63, 80, 81, 97, 109, 135, 161, 168, 173, 211, 422, 455, 456, 458, 466, 469, 470, 474
Criminal Law (Scotland) Procedure (No. 2), Comm. *cl.* 17, 1384; *cl.* 38, 1390
Crofters Holdings (Scotland), Comm. *add. cl.* 1368, 1370

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COURTNEY, Mr. L. H.—*cont.*
Licensed Premises (Earlier Closing) (Scotland), Comm. *cl.* 4, 1411; Report, *ib.*
Manchester Ship Canal, Instruction to the Committee, 24, 25, 26
Merchandise Marks Law Consolidation and Amendment, Comm. *cl.* 3, 1731; *cl.* 4, 1748
Supply—Customs, Inland Revenue, Post Office, &c. 1890
Houses of Parliament, 1663, 1671, 1673, 1674, 1678, 1680
Public Buildings, &c. in Great Britain, 1832, 1835
Royal Palaces, 595, 596
Royal Parks and Pleasure Gardens, 607, 615
Survey of the United Kingdom, &c. 1898, 1904, 1906, 1911
Truck, Comm. *add. cl.* 1242; Postponed *cl.* 3, 1254, 1255, 1256, 1257

COWPER, Earl
Defences of the Empire—Volunteer Coast Defence—Naval Volunteer Home Defence Association, Motion for Papers, 755, 760
Irish Land Law, Report, 1450
Naval Volunteers, Motion for Papers, 1139

COX, Mr. J. R., *Clare, E.*
Ireland—Evictions—Evictions at Bodyke, Co. Clare, 1301;—Conduct of the Constabulary, 267, 268, 318, 332, 419
Irish Land Commission — Sub-Commissioners—Appeals, 1483

CRANBORNE, Viscount, *Lancashire, N.E., Darwen*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1421
Coal Mines, &c. Regulation, Comm. *cl.* 14, 942

CRANBROOK, Viscount (Lord President of the Council)
Improvement of Land Act, 11
Land Transfer, Comm. *cl.* 39, 1014
Patterns of Warlike Stores—Military Administration, Res. 1137
Pluralities Act Amendment Act (1885) Amendment, Comm. *cl.* 1, 373, 374
Quarries, Comm. 10
Smoke Nuisance Abatement (Metropolis), Comm. 538
Technical Education, 1764

CRAWFORD, Mr. D., *Lanark, N.E.*
Coal Mines, &c. Regulation, Comm. Motion for Adjournment, 666, 682; *cl.* 6, 732; *cl.* 13, Amendt. 854, 856, 864, 866, 874, 882; *cl.* 15, 971
Criminal Law (Scotland) Procedure (No. 2), Comm. 1379; *cl.* 39, 1393; *cl.* 44, 1395, 1396, 1397; *cl.* 55, 1403
Truck, Comm. *add. cl.* 1226, 1233, 1235, 1238, 1239, 1241, 1242; Postponed *cl.* 3, 1249, 1255

CREMER, Mr. W. R., *Shoreditch, Haggerston*
Coal Mines, &c. Regulation, Comm. *cl.* 8, 817
Supply—Houses of Parliament, Amendt. 1678, 1679, 1680
Royal Parks and Pleasure Gardens, 615, 616, 626, 628
Trade and Commerce — Destitution among Ironworkers at Tipton, 1037, 1496
Truck, Comm. *add. cl.* 1233, 1242, 1245

Criminal Law Amendment (Ireland) Bill
(*Mr. Arthur Balfour, Mr. Secretary Matthews, Mr. Attorney General, Mr. Attorney General for Ireland*) [Bill 217]
Committee [Seventeenth Night]—R.P. *June* 14, 61
Committee [Eighteenth Night]—R.P. *June* 15, 157
Committee [Nineteenth Night] *June* 17, 421; after long time spent therein, and it being Ten o'clock, the Chairman, in pursuance of the Order of the House of the 10th of June, interrupted the Debate, and put the Question forthwith; A. 332, N. 163; M. 169 [10 P.M.]
Division List, Ayes and Noes, 484
Whereupon the Chairman, in pursuance of the said Order, forthwith reported the Bill, with Amendments, to the House
As amended, considered [First Night] *June* 27, 1040; after long debate, further Proceeding deferred
Further Proceeding resumed [Second Night] *June* 28, 1167; after long debate, Debate adjourned
Further Proceeding resumed [Third Night] *June* 29, 1259; after debate, Debate adjourned
Further Proceeding resumed *June* 30, 1352; after short debate, Bill to be read 3° upon Tuesday next [Bill 305]

Criminal Law Amendment (Ireland) Bill
Questions, Mr. Chance; Answers, The Parliamentary Under Secretary for Ireland (Colonel King-Harman), The Attorney General (Sir Richard Webster) *June* 30, 1323; Question, Mr. W. E. Gladstone; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) *July* 1, 1501; Questions, Mr. Sexton, Mr. H. Gardner, Mr. Hanbury, Mr. John Morley; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 30, 1324
Amendments, Question, Mr. W. E. Gladstone; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) *July* 4, 1596
Alleged Violation of a Pledge by the Chief Secretary, Questions, Mr. Anderson, Sir William Harcourt, Mr. Waddy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) *July* 4, 1610

Criminal Law (Scotland) Procedure (No. 2) Bill (*The Lord Advocate, Mr. Secretary Matthews, Mr. Solicitor General for Scotland*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 30, 1370
Amendt. to leave out "now," add "upon this day three months" (*Dr. Cameron*); Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
Main Question put, and agreed to; Committee; Report [Bill 196]

Criminal Law (Scotland) Procedure [*Consolidated Fund*]
c. Res. considered in Committee *July* 1, 1540; after short debate, Res. agreed to

Crofters' Holdings (Scotland) Bill [H.L.] (*The Lord Advocate*)
c. Read 2°, after short debate *June* 14, 151
Committee deferred *June* 27, 1109 [Bill 287]
Committee; Report *June* 30, 1354
Considered *; read 3° *July* 1

CROSS, Viscount (Secretary of State for India)
Asia (Central)—Affairs of Afghanistan, 1122

CROSSLEY, Mr. E., *York, W.R., Sowerby*
British Guiana—Ecclesiastical Provisions, 404

CROSSMAN, Major General Sir W., *Portsmouth*
War Department—Questions
Brennan Torpedo, 1601
Ordnance Inquiry Commission—Lieutenant-Colonel Hope and Captain Armit, 1308, 1309
Stores—Supply of Cement to Trincomalee, 249

Currency, The—The New Coinage
Questions, Mr. J. E. Spencer, Mr. W. L. Bright, Mr. Childers, Sir John Lubbock, Mr. Isaacs; Answers, The Chancellor of the Exchequer (Mr. Goschen) *June* 23, 773; Question, Mr. Isaacs; Answer, The Chancellor of the Exchequer (Mr. Goschen) *June* 28, 1150

CURZON, Hon. G. N., *Lancashire, Southport*
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Customs and Inland Revenue Bill (*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*)
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l. Read 1ª * (*M. of Salisbury*) *June* 30 (No. 150)
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l. Read 1ª * *June* 20 (No. 121)

Deeds of Arrangement Registration [*Stamp Duty*]
c. Res. considered in Committee, and agreed to *June* 16, 369

Deep Sea Oysters Bill (*Mr. Cozens-Hardy, Mr. Colman*)
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Elementary Education Acts Amendment Bill (*Captain Heathcote, Mr. H. T. Davenport, Mr. Haldane, Mr. Heath*)
c. Ordered; read 1° * *June* 22 [Bill 295]

Elementary Education Provisional Order Confirmation (Christchurch) Bill [H L.] (*The Lord President*)
l. Committee *; Report *June* 22 (No. 92)
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c. Read 1° * *June* 27 [Bill 297]
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c. Order read, for resuming Adjourned Debate on Question [7th June], "That the Bill be now read 3°," Question again proposed; Debate resumed *June* 27, 1120; Moved, "That the Debate be now adjourned" (*Mr. Isaacs*); Question put, and negatived
Original Question put, and agreed to; Bill read 3°
l. Read 1ª * (*E. of Belmore*) *June* 28 (No. 140)
Read 2ª, after short debate *July* 5, 1765

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Read 3° * *June* 22
l. Read 1ª * (*L. Stanley of Preston*) *June* 23
Read 2ª * *June* 30 (No. 131)

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c. Report * *June* 14 [Bill 249]
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l. Read 1ª * (*L. Stanley of Preston*) *June* 16
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The Attorney General's Salary, Question, Mr. Henry H. Fowler; Answer, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 30, 1313

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Feakle, Co. Clare—Alleged Riot—Conduct of the Constabulary, Questions, Mr. M. J. Kenny; Answers, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 14, 53; Questions, Mr. M. J. Kenny, Mr. Dillon; Answers, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 16, 263

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Ireland—Bantry Board of Guardians

Moved, "That there be laid before the House, correspondence, if any, that has passed between the officer commanding H.M.S. 'Shannon' and the Board of Guardians of the Bantry Union with reference to the offer of a supply of fresh water to the sanitary authority by the said officer" (*The Lord Ventry*) *July* 4, 1561; after short debate, Motion withdrawn

Ireland—Dublin Garrison

Moved, "That there be laid before the House a nominal Return of all cases of febrile and respiratory disease which have occurred in the Dublin Garrison since 1st January 1881, distinguishing in each case the barracks" (*The Earl Beauchamp*) *June* 23, 749; after short debate, Motion agreed to

Irish Land Law Bill

Questions, Mr. Sexton; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 28, 1167; Question, Mr. John Morley; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) *July* 1, 1498; Questions, Mr. Dillon, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 5, 1793

New Clauses as to Purchasing, Question, Mr. Lea; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 23, 779

Glebe Land Purchasers, Questions, Mr. Dillon, Mr. Lea; Answers, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 28, 1142

Purchase of Holdings—Provisions as to Head Rents, Question, Earl Spencer; Answer, The Lord Privy Seal (Earl Cadogan) *June* 30, 1276

Purchasers of Tithe Rent-Charge, Question, Sir John Lubbock; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 5, 1791

Irish Land Law Bill [H.L.]

(*The Lord Privy Seal*)

l. Report *July* 1, 1429 (No. 106)
Read 3ª, after debate *July* 4, 1563 (No. 152)
Personal Explanation, Lord Fitzgerald *July* 5, 1764

c. Read 1°* (*The Chief Secretary for Ireland, Mr. A. J. Balfour*) *July* 4 [Bill 308]

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c. Read 2°, after short debate *June* 27, 1111

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c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 30, 1408; Moved, "That this House do now adjourn" (*Colonel Hambro*); Motion withdrawn
Original Question put, and agreed to; Committee; Report [Bill 153]

Licensing Laws, The
Selling Drink during Prohibited Hours (*The Jubilee*), Question, Sir Wilfrid Lawson; Answer, The Attorney General (Sir Richard Webster) *June* 23, 778
Extension of Hours on Jubilee Night, Questions, Major Rasch, Sir Wilfrid Lawson; Answers, The Secretary of State for the Home Department (Mr. Matthews) *July* 5, 1781

LICHFIELD, Bishop of
Pluralities Act Amendment Act (1885) Amendment, Comm. *cl.* 1, 374

Life Leases Conversion Bill
(*Sir Edmund Lechmere, Mr. Hastings, Mr. Puleston, Mr. Radcliffe Cooke*)
c. Ordered; read 1° * *July* 4 [Bill 310]

LLEWELLYN, Mr. E. H., *Somerset, N.*
Coal Mines, &c. Regulation, Comm. *cl.* 1, 714

LOCAL GOVERNMENT BOARD—President (*see* RITCHIE, Right Hon. C. T.)

LOCAL GOVERNMENT BOARD—Secretary to (*see* LONG, Mr. W. H.)

Local Government Board—Census of the Working Class Population in London—Foreign Pauper Immigrants
Question, Viscount Wolmer; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 14, 36

Local Government (Ireland) Provisional Orders (Ballyshannon, &c.) Bill
(*Colonel King-Harman*)
c. Read 2° * *June* 14 [Bill 272]
Report * *July* 6

Local Government (Ireland) Provisional Order (Dublin, &c.) Bill [H.L.]
(*The Lord Privy Seal*)
l. Read 2ª * *June* 16 (No. 95)
Committee * *June* 30 (No. 142)
Report * *July* 1
Read 3ª * *July* 4
c. Read 1° * *July* 5 [Bill 312]

Local Government (Ireland) Provisional Order (Killiney and Ballybrack) Bill
(*Colonel King-Harman, Mr. Balfour*)
c. Read 2° * *June* 14 [Bill 275]
Report * *June* 29
Read 3° * *June* 30
l. Read 1ª * (*The Lord Privy Seal*) *June* 30
Read 2ª * *July* 1 (No. 149)

Local Government (Ireland) Provisional Order (Limerick Water) Bill [H.L.]
c. Report * *June* 14 [Bill 236]
Read 3° *June* 15
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxv]

Local Government Provisional Orders (Gas) Bill (*Earl Brownlow*)
l. Read 2ª * *June* 23 (No. 119)
Committee *; Report *June* 24
Read 3ª * *June* 27
Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxxiii]

Local Government Provisional Orders (No. 2) Bill (*Earl Brownlow*)
l. Read 2ª * *June* 23 (No. 120)
Committee *; Report *June* 24
Read 3ª * *June* 27
Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxxiv]

Local Government Provisional Orders (No. 3) Bill (*Mr. Long, Mr. Ritchie*)
c. Report * *June* 14 [Bill 268]
Read 3° * *June* 15
l. Read 1ª * (*L. Balfour of Burley*) *June* 16
Read 2ª * *June* 27 (No. 124)
Committee *; Report *July* 4
Read 3ª * *July* 5

Local Government Provisional Orders (No. 4) Bill (*Mr. Long, Mr. Ritchie*)
c. Report * *June* 14 [Bill 269]
Read 3° * *June* 15
l. Read 1ª * (*L. Balfour of Burley*) *June* 16
Read 2ª * *June* 27 (No. 125)
Committee * *July* 4
Report * *July* 5

Local Government Provisional Orders (No. 5) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 2° * *June* 20 [Bill 280]
Report * *June* 29
Read 3° * *June* 30
l. Read 1ª * (*L. Balfour of Burley*) *June* 30
Read 2ª * *July* 1 (No. 146)

Local Government Provisional Orders (No. 6) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 2° * *June* 15 [Bill 281]
Report * *June* 29
Read 3° * *June* 30
l. Read 1ª * (*L. Balfour of Burley*) *June* 30
Read 2ª * *July* 1 (No. 147)

Local Government Provisional Orders (No. 7) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 2° * *June* 20 [Bill 282]
Report * *July* 6

Local Government Provisional Orders (No. 8) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 2° * *June* 20 [Bill 286]
Report * *June* 29
Read 3° * *June* 30
l. Read 1ª * (*L. Balfour of Burley*) *June* 30
Read 2ª * *July* 1 (No. 148)

Local Government Provisional Orders (No. 9) Bill (*Mr. Long, Mr. Ritchie*)
c. Ordered; read 1° * *June* 27 [Bill 296]
Read 2° * *July* 5

Local Government Provisional Order (Highways) Bill (*Lord Balfour*)
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. lvii]

Local Government Provisional Orders (Poor Law) Bill (*Lord Balfour*)
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. lviii]

Local Government Provisional Orders (Poor Law) (No. 2) Bill (*Lord Balfour*)
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. lix]

Local Government Provisional Orders (Poor Law) (No. 3) Bill (*Earl Brownlow*)
l. Read 2ª * *June* 23 (No. 118)
Committee *; Report *June* 24
Read 3ª * *June* 27
Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxxii]

Local Taxation—Rural Sanitary Districts—Local Rates Assessment—Rating of Demesnes, Mansions, and Parks
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Lord Lieutenant of Ireland—Parliamentary Under Secretary to the (*see* King-Harman, Right Hon. Colonel E. R.)

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Lothian, Marquess of (Secretary for Scotland)
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Malta
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Changes in the Constitution—Resignation of Mr. Savona, Director of Education, Question, Mr. H. J. Wilson; Answer, The Secretary of State for the Colonies (Sir Henry Holland) *July* 1, 1485

Manchester Ship Canal Bill
c. Moved, "That it be an Instruction to the Committee on the Manchester Ship Canal Bill, that the Opponents of the Bill (namely, the Mersey Docks and Harbour Board, the Corporation of Liverpool, and the London and North Western Railway Company) be heard only on the question of the effect upon the said Opponents of the alteration of the

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Manchester Ship Canal Bill—cont.
financial conditions imposed by 'The Manchester Ship Canal Act, 1885," so far as the said Opponents were protected by the said conditions; and that the said Committee do hear any Shareholders dissenting from the Bill on their Petition against the same" (*The Chairman of Committees, Mr. Courtney*) *June* 14, 24; after short debate, Question put, and agreed to
Moved, "That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Friday 24th June" (*Sir Henry James*), 26; after short debate, Motion withdrawn
Moved, "That it be an Instruction to the Committee to which the said Bill be referred, that the Committee shall report the Bill to this House not later than Monday 27th June" (*Sir Henry James*), 28; after short debate, Question put; A. 243; N. 82; M. 161
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c. Report * *June* 30 [Bill 179]

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c. Report of Select Comm. * *June* 30 [No. 203]
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Merchandise Marks Law Consolidation and Amendment Bill (*Mr. Attorney General, Baron Henry De Worms, Mr. Stuart-Wortley*)
c. Report * *June* 30 [Bill 191]
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(*Mr. Stuart-Wortley, Mr. Secretary Matthews*)
c. Read 2° * *June* 14 [Bill 277]
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Read 3° * *June* 24
l. Read 1ª * (*Earl Brownlow*) *June* 27 (No. 134)
Read 2ª * *July* 1
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Metropolis Management (Battersea and Westminster) Bill (*Earl Fortescue*)
l. Read 2ª * *June* 17 (No. 101)
Report * *June* 24
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Read 3ª * *July* 1

Metropolis (Shelton Street, St. Giles) Provisional Order Bill
(*Mr. Stuart-Wortley, Mr. Secretary Matthews*)
c. Read 2° * *June* 14 [Bill 278]
Report * *June* 23
Read 3° * *June* 24
l. Read 1ª * (*Earl Brownlow*) *June* 27 (No. 135)
Read 2ª * *July* 1
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Question, Mr. Lawson; Answer, The Chancellor of the Exchequer (Mr. Goschen) *July* 1, 1499

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Railway and Canal Traffic—Conveyance of Town Refuse, 762

MORLEY, Earl of
Army—Patterns of Warlike Stores—Military Administration, Res. 1138

MORLEY, Right Hon. J., *Newcastle-upon-Tyne*
Criminal Law Amendment (Ireland) and Irish Land Law, 1325, 1498, 1499
Criminal Law Amendment (Ireland) Comm. *cl.* 6, 118, 119, 148, 175; Consid. *add. cl.* 1043, 1066
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 323, 324, 326

MOUNT-TEMPLE, Lord
Metropolitan Open Spaces Act (1881) Extension, 2R. 1123
Smoke Nuisance Abatement (Metropolis), Comm. 538

MOWBRAY, Right Hon. Sir J. R., *Oxford University*
Manchester Ship Canal, Instruction to the Committee, 27, 31
Parliament—Orders of the Day, Res. 1641

MUNDELLA, Right Hon. A. J., *Sheffield, Brightside*
Coal Mines, &c. Regulation, Comm. *cl.* 8, 798, 805, 826, 829, 836; *cl.* 13, 861, 862, 870
Manchester Ship Canal, Instruction to the Committee, 31
Merchandise Marks Law Consolidation and Amendment, Comm. *cl.* 2, 1729; *cl.* 4, 1739, 1741, 1746
Parliament—Business of the House, 1793;—Railway Rates, 1321
Parliament—Orders of the Day, Res. 1627
Supply—Customs, Inland Revenue, Post Office, &c. 1879
War Office — Army Contracts for Sword Bayonets, 42
Water Companies (Regulation of Powers), 2R. 1760, 1761

Municipal Corporations Acts (Ireland) Amendment (No. 2) Bill (No. 116)
(*The Earl of Erne*)
l. Read 2ª, after short debate *June* 17, 388
Committee, after short debate *June* 30, 1277

Municipal Regulation (Constabulary, &c.) (Belfast) Bill
(*Colonel King-Harman, Mr. Solicitor General for Ireland*)
c. Ordered; read 1° * *June* 17 [Bill 291]

MUNTZ, Mr. P. A., *Warwickshire, Tamworth*
Parliament—Orders of the Day, Res. 1630

National Debt and Local Loans Bill
(*Mr. Chancellor of the Exchequer, Mr. Jackson*)
c. Committee—R.P. *June* 17, 525 [Bill 266]
Committee; Report *June* 20, 670
Considered * *June* 23
Read 3° * *June* 27
l. Read 1ª * (*Marquess of Salisbury*) *June* 28
Read 2ª * *July* 5 (No. 141)

National Debt and Local Loans [*Funds*]
c. Res. considered in Committee, and agreed to *June* 17, 530

National Provident Institution [*Lords*] [*Stamp Duties*]
c. Res. considered in Committee, and agreed to *June* 27, 1120

NAVY (*Questions*)
Admiralty Contracts—Contract for Neatsfoot Oil, Question, Mr. Hanbury; Answer, The Secretary to the Admiralty (Mr. Forwood) *June* 14, 39
Armoured Vessels of Recent Construction—A Government Inquiry, Questions, Mr. Shaw Letevre, Mr. Childers; Answers, The First Lord of the Admiralty (Lord George Hamilton) *June* 24, 930
Deficient Supply of Guns, Question, Mr. R. W. Duff; Answer, The First Lord of the Admiralty (Lord George Hamilton) *July* 4, 1595
The Maxim Gun, Question, Mr. Hulse; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 30, 1313
H.M.SS. "Collingwood," "Colossus," and "Conqueror"—The 45-ton Gun, Question, Mr. R. W. Duff; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 30, 1297
H.M.S. "Duncan"—Sentence on Assistant Paymaster Montgomery, Question, Mr. W. Redmond; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 30, 1296
H.M.S "Impérieuse," Questions, Sir Bernhard Samuelson, Sir Edward J. Reed; Answers, The First Lord of the Admiralty (Lord George Hamilton) *June* 23, 771
H.M.SS. "Sultan" and "Inflexible"—Service Ammunition, Question, Captain Cotton; Answer, The Surveyor General of Ordnance (Mr. Northcote) *June* 27, 1019

NAVY—*cont.*
H.M.S. "Surprise"—Disappearance of Commander Le Strange, Questions, Commander Bethell; Answers, The First Lord of the Admiralty (Lord George Hamilton) *July* 4, 1610

Naval Officers and Men at St. Charles's Roman Catholic Church, Hull, Question, Mr. Johnston; Answer, The First Lord of the Admiralty (Lord George Hamilton) *July* 5, 1773

Order in Council, 1853—*Special Pensions*, Question, Mr. Esslemont; Answer, The First Lord of the Admiralty (Lord George Hamilton) *July* 5, 1788

Return of Ships of the "Admiral" Class, Question, Mr. Caine; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 24, 929

Speech of Lord Randolph Churchill at Wolverhampton, Questions, Admiral Mayne, Mr. Henry H. Fowler; Answers, Mr. Speaker, The First Lord of the Admiralty (Lord George Hamilton) *June* 23, 777

The North American Station—Torpedo Boats for Halifax, Question, Admiral Sir Edmund Commerell; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 23, 762

The Dockyards

Dockyards and Arsenals—Visits by Members of this House, Question, Mr. Wootton Isaacson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 14, 51

Alleged Misappropriation of Government Articles at Haulbowline Works, Question, Mr. Conway; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 17, 392; Question, Mr. Hooper; Answer, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 28, 1148

Navy—Naval Volunteers
Moved, "That there be laid before the House, Correspondence between the Naval Volunteer Home Defence Association and the Admiralty as to sanctioning a scheme for obtaining and arming a steamer for the use of the Local Royal Artillery Volunteer Force at Brighton" (*The Earl Cowper*) *June* 28, 1139; after short debate, Motion agreed to

NEVILLE, Mr. R., *Liverpool, Exchange*
Criminal Law Amendment (Ireland), Consid. *add. cl.* 1274

NOLAN, Colonel J. P., *Galway, N.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 77; Consid. *add. cl.* 1076, 1089, 1220, 1259
Ireland—Queen's Plates at Galway, 779
Supply—Houses of Parliament, 1674
Royal Parks and Pleasure Gardens, 620
Survey of the United Kingdom, 1906, 1908

NORRIS, Mr. E. S., *Tower Hamlets, Limehouse*
Civil Service—Clerks in the Prisons Department, 1162

NORTHBROOK, Earl of
Army—Patterns of Warlike Stores—Military Administration, Res. 1132
Defences of the Empire—Volunteer Coast Defence — Naval Volunteer Home Defence Association, Motion for Papers, 758
Irish Land Law, Report, 1461

NORTHCOTE, Hon. H. S. (Surveyor General of Ordnance), *Exeter*
Admiralty—H.M.SS. "Sultan" and "Inflexible"—Service Ammunition, 1019
Army—Garrison Brigades of the Royal Artillery, 1020
Army (Auxiliary Forces)—Tent Accommodation, 931
Navy—H.M.SS. "Collingwood," "Colossus," and "Conqueror"—The 45-ton Gun, 1297
Warlike Stores, Royal Commission on, 1039
War Office (Ordnance Department)—Questions
Army Stores—Issue of Hides for the Cavalry and Artillery, 1775;—Supply of Cement to Trincomalee, 250
Contract for Cartridges, 40
Designers of the 110-ton and 43-ton Guns, 1778
Quick-Firing Machine Guns, 1020
Small Arms Factory, Enfield—Discharge of Workmen, 1313, 1491

North Sea Liquor Traffic—The Conference at the Hague
Question, Sir Edward Birkbeck; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *July* 5, 1776

O'BRIEN, Mr. J. F. X., *Mayo, S.*
Ireland—Inland Navigation and Drainage—Government Subvention of £50,000—River Robe, 1787

O'BRIEN, Mr. P., *Monaghan, N.*
Ireland—Irish Land Commission—Sitting of Sub-Commissioners, Co. Monaghan, 253
Jubilee Year of Her Majesty's Reign, Celebration of—Judicial Business (Ireland), 1034
Law and Justice—County Court Judge of Monaghan (Mr. Barron), 926, 927;—Fenian Movement—Military Prisoners, 1018

O'BRIEN, Mr. P. J., *Tipperary, N.*
Ireland—Law and Justice—Quarter Sessions at Nenagh, 1310

O'CONNOR, Mr. A., *Donegal, E.*
Administration of the War Services—Lord Randolph Churchill at Wolverhampton, 272
Coal Mines—Certificates of Competency, 1603
Coal Mines, &c. Regulation, Comm. 665, 697; *cl.* 5, 724; *cl.* 6, 733, 741, 743, 744, *cl.* 8, 837, 838; *cl.* 13, 857, 865; Amendt. 871, 872, 873, 878; *cl.* 14, Amendt. 947, 949, 952, 956, 963, 966; *cl.* 15, 968, 971; *cl.* 16, Amendt. 973, 974, 975; *cl.* 17, 981, 982, 983, 988; *cl.* 19, Amendt. 990, 991, 992, 993; *cl.* 21, Amendt. 994, 996, 1000
Coal Mines, &c. Regulation, Section 19, 37

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O'Connor, Mr. A.—*cont.*
Ireland—Distressed Unions, 1609
Evictions—Evictions at Bodyke, Co. Clare—Captain E. W. D. Croker, 262, 263
Jubilee Thanksgiving Service (Westminster Abbey)—The Procession—Seats in Parliament Square, 44
Jubilee Year of Her Majesty's Reign, Celebration of—Royal Procession—Provincial Press, 560
Parliament — Order — Standing Orders — Alleged Infraction of the Order of the 3rd of May, 1861, 417, 418
Privilege—Public Petitions Committee—Petitions on the London Coal and Wine Duties Continuance Bill, 592
Scotland—Prison Commissioners—A Religious Test, 1603
Supply—Furniture of Public Offices, Great Britain, 1850
Houses of Parliament, 1672
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Royal Palaces, 595
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Survey of the United Kingdom, 1892, 1900; Amendt. 1901, 1902, 1903, 1908
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O'Connor, Mr. J., *Tipperary, S.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 91, 105, 209, 451

O'Connor, Mr. T. P., *Liverpool, Scotland*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 126
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 346
Law and Police (Metropolis)—Arrest of Miss Cass, 1822
Parliament—Privilege—Public Petitions Committee—Petitions on the London Coal and Wine Duties Continuance Bill, 589
Parliament—Orders of the Day, Res. 1632
Supply—Marlborough House, 602
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O'Doherty, Mr. J. E., *Donegal, N.*
Contagious Diseases (Animals) Acts—Carriage of Cattle on Railways, 47
Licences for Importation of Irish Cattle, 46
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 88, 103, 214, 440, 443, 462

O'Hanlon, Mr. T., *Cavan, E.*
Ireland — Emigration — Derry — Evicted Tenants, 401
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O'Hea, Mr. P., *Donegal, W.*
Criminal Law Amendment (Ireland), Consid. *add. cl.* 1078, 1195, 1269
Ireland—Law and Justice—Mayor of Cork, 1036
Piers and Harbours—Harbour Accommodation in Donegal, 1533
Supply—Marlborough House, Amendt. 601, 603

O'Kelly, Mr. J., *Roscommon, N.*
Merchant Shipping Act, 1854—Seizure of a Yacht's Flag in Bantry Bay, 1157
Post Office—East India and China Mail Contract, Res. 919

Oleomargarine (Fraudulent Sale) Bill
(*Sir Richard Paget, Mr. Sclater-Booth, Mr. Elton, Mr. Mark Stewart*)
c. Report * *July* 4 [Bill 175]
Short title changed to *Butterine (Fraudulent Sale) Bill*

Onslow, Earl of (Under Secretary of State for the Colonies)
Colonial Conference—Report of the Proceedings, 1763
Colonial Service (Pensions), Comm. 6
Dominion of Canada—Increased Import Duties on Iron, 383, 387, 388
Dominion of Canada—Changes in the Tariff, Address for Correspondence, 1552, 1561
Islands of the Southern Pacific—Religious Persecutions in Tonga, 1770

Ordnance Department—see *Army*

Ordnance — Surveyor General (*see* Northcote, Hon. H. S.)

Oyster and Mussel Fisheries Provisional Order Bill (*Baron Henry De Worms, Mr. Jackson*)
c. Read 2° * *June* 14 [Bill 279]
Report * *June* 23
Read 3° * *June* 24
l. Read 1ª * (*Lord Stanley of Preston*) *June* 27
Read 2ª * *June* 30 (No. 136)
Committee *; Report *July* 5

Paget, Sir R. H., *Somerset, Wells*
Customs and Inland Revenue, Comm. *add. cl.* 514
National Debt and Local Loans, Comm. 529
Parliament—Orders of the Day, Res. 1626

Palmer, Sir C. M., *Durham, Jarrow*
War Office (Ordnance Department)—Quick-Firing Machine Guns, 1020

Paris Exhibition, 1889
Question, Mr. Howard Vincent; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *July* 1, 1497

Parker, Mr. C. S., *Perth*
Criminal Law (Scotland) Procedure (No. 2), Comm. 1378; *cl.* 55, 1402
Crofters' Holdings (Scotland), Comm. *cl.* 2, Amendt. 1358; *add. cl.* 1363, 1369
Supply—Public Buildings, &c. in Great Britain, 1840

Parliament

LORDS—

Private and Provisional Order Confirmation Bills

Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session *June* 17

The Earl of Mar

Moved, "That the Petition of the Earl of Mar, presented on the 27th instant, be printed" (*The Earl of Wemyss*) *June* 30, 1287; after short debate, Motion withdrawn

Jubilee Thanksgiving Service (*Westminster Abbey*)

Traffic Arrangements, Question, Observations, The Earl of Kilmorey; Reply, Earl Brownlow *June* 17, 391

Seating of Peers—Precedence, Question, The Earl of Galloway; Answer, Lord Colville of Culross; short debate thereon *June* 30, 1284 [See title *Queen, The*]

Judgments of this House—Notification to Divisions of the High Court of Justice and to the High Court of Appeal

Moved, "That this House should direct its judgments to be formally notified to the Divisions of the High Court of Justice and to the Court of Appeal which may be affected thereby" (*The Lord Coleridge*) *June* 30, 1286; Motion postponed

COMMONS—

Mr. Speaker—His Degree of D.C.L. at Oxford

Moved, "That during Mr. Speaker's temporary absence at Oxford on Wednesday next, Mr. Courtney, the Chairman of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order" (*Mr. W. H. Smith*) *June* 20, 564; Motion agreed to; the Entry in the Votes, 565

In compliance with the Special Order of the House of Monday last, Mr. Courtney, the Chairman of Ways and Means, in the absence of Mr. Speaker, at Oxford, took the Chair as Deputy Speaker, pursuant to the Standing Order, *June* 22

Jubilee Thanksgiving Service (*Westminster Abbey*)

Questions, Mr. Herbert Gardner, Sir Robert Fowler; Answers, The First Commissioner of Works (Mr. Plunket) *June* 14, 52

The Procession—Seats in Parliament Square, Questions, Mr. Puleston, Mr. T. M. Healy, Mr. Bowen Rowlands, Sir George Campbell, Mr. Osborne Morgan, Mr. Arthur O'Connor, Mr. O. V. Morgan; Answers, The First Commissioner of Works (Mr. Plunket) *June* 14, 43

Report from Select Committee brought up, and read *June* 14, 58

Moved, "That this House, in accordance with Her Majesty's Gracious intimation, doth authorize Mr. Speaker, as representing this House, to attend the Thanksgiving to be held in Westminster Abbey on Tuesday the 21st day of this instant June, and that the Members of the House be admitted to the

[*cont.*

PARLIAMENT — COMMONS — *Jubilee Thanksgiving Service* (*Westminster Abbey*)—cont.

Abbey by Tickets" (*Mr. Secretary Matthews*), 59; after short debate, Question put, and agreed to

Stands at the War Office, Questions, Mr. Pickersgill; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 17, 412

Invitations to Distinguished Women, Questions, Sir John Lubbock, Mr. Bartley, Mr. T. W. Russell, Mr. Caine; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The First Commissioner of Works (Mr. Plunket), The Parliamentary Under Secretary for Ireland (Colonel King-Harman), The Secretary of State for War (Mr. E. Stanhope) *June* 17, 413

[See title *Queen, The*]

DIVISIONS IN THIS HOUSE

Question, Mr. Whitmore; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 274

Improvement in Taking and Registering the Votes, Question, Mr. Jennings; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 20, 564

ORDER

Standing Orders—Alleged Infraction of the Order of 3rd of May, 1861, Observations, Mr. Arthur O'Connor; Reply, Mr. Speaker *June* 17, 417

SITTINGS AND ADJOURNMENT OF THE HOUSE

Morning Sittings

Ordered, That whenever the House shall meet at Two of the clock the Sittings of the House shall be held subject to the Resolutions of the House of the 30th April 1869 (*Mr. William Henry Smith*) *June* 16

Moved, "That this House do now adjourn" (*Mr. Jackson*) *June* 22, 749; it being Six of the clock, Mr. Deputy Speaker adjourned the House without putting the Question

Moved, "That this House do now adjourn" (*Mr. Henry H. Fowler*) *July* 1, 1548; after short debate, Question put, and agreed to

THE NEW RULES OF PROCEDURE (1882)

Rule 2 (*Adjournment of the House*)

Matter, Evictions (*Ireland*) — *Evictions at Bodyke, Co. Clare — Conduct of the Constabulary*

Moved, "That this House do now adjourn" (*Mr. Dillon*) *June* 16, 278; after long debate, Question put; A. 165, N. 246; M. 81 (D. L. 244)

Matter, The Anglo-Egyptian Convention — Ratification

Moved, "That this House do now adjourn" (*Sir Wilfrid Lawson*) *June* 30, 1325; after debate, Question put; A. 115, N. 276; M. 161 (D. L. 275)

Matter, Law and Police (*Metropolis*)—*Arrest of Miss Cass*

Moved, "That this House do now adjourn" (*Mr. Atherley-Jones*) *July* 5, 1796; after debate, Question put; A. 153, N. 148; M. 5

Division List, Ayes and Noes, 1823

[*cont.*

PARLIAMENT—COMMONS—*cont.*

BUSINESS OF THE HOUSE AND PUBLIC BUSINESS

Notices of Motions and Orders of the Day

Moved, "That the Coal Mines, &c. Regulation Bill have precedence this day of the other Orders of the Day" (*Mr. W. H. Smith*) *June* 22, 681; after short debate, Motion agreed to

Moved, "That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion on Tuesday, Government Orders having priority; that Government Orders have priority on Wednesday; and that Standing Order XXI., relating to Notices on going into Committee of Supply on Monday and Thursday, be extended to the other days of the week" (*Mr. William Henry Smith*) *July* 4, 1614; after debate, Amendt. at end add "but that Tuesday, the 26th of July, be excepted from the Order" (*Sir Wilfrid Lawson*), 1631; Question proposed, "That those words be there added;" after further debate, Question put; A. 85, N. 165; M. 80 (D. L. 280)

Main Question again proposed, 1655; Amendt. at end add "but that a day be granted for the discussion of the present condition of the agricultural interest" (*Mr. Esslemont*), 1656; Question proposed, "That those words be there added;" after short debate, Question put; A. 82, N. 139; M. 57 (D. L. 281); Main Question put; A. 146, N. 85; M. 61 (D. L. 282)

BUSINESS OF THE HOUSE AND PUBLIC BUSINESS

Business of the House—Arrangement of Public Business, Questions, Mr. Sydney Buxton, Mr. Dillon; Answers, The First Lord of the Treasury (Mr. W. H. Smith); short debate thereon *June* 14, 55; Questions, Mr. W. E. Gladstone, Mr. Henniker Heaton, Mr. Dillon; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 276; Questions, Mr. E. Robertson, Mr. Dillon, Mr. T. M. Healy; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 17, 416; Observations, The First Lord of the Treasury (Mr. W. H. Smith); Question, Sir Joseph Pease; Answer, Mr. W. H. Smith *June* 24, 1006; Questions, Sir Hussey Vivian, Mr. Baumann, Mr. Cavendish Bentinck, Mr. Sexton; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 27, 1039; Questions, Sir Joseph Pease, Mr. Clancy; Answers, The Chancellor of the Exchequer (Mr. Goschen), The Secretary to the Board of Trade (Baron Henry De Worms) *July* 1, 1499; Questions, Mr. Mundella, Mr. Bartley; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 5, 1793;—*Local Government Bill*, Question, Lord Henry Bruce; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 274;—*The Irish Land Law Bill*, Question, Mr. Lea; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 17, 416;—*Supply*, Question, Mr. Childers; Answer, The Chancellor of the Exchequer (Mr. Goschen) *June* 28, 1154;—*Ulster Canal Bill*, Question, Mr. Sexton; Answer, The Secretary to the Treasury (Mr. Jackson) *June* 30, 1318;—*Coal Mines, &c. Regulation Bill*, Questions, Mr. J. E. Ellis, Mr. Tomlinson; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 30, 1320; Question, Mr. Burt; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 4, 1607;—*Railway Rates Bill*, Question, Mr. Heneage; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 30, 1320;—*The Scotch Universities Bill*, Question, Mr. E. Robertson; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) *July* 1, 1494

Palace of Westminster—The Central Hall—Position for a Statue of the late Earl of Iddesleigh, Question, Mr. Cavendish Bentinck; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 20, 563

Parliamentary Elections

New Writ for the Spalding Division of Lincolnshire, Question, Mr. Waddy; Answer, The Patronage Secretary to the Treasury (Mr. Akers-Douglas) *June* 17, 411

Interference of Peers at Elections, Question, Sir Wilfrid Lawson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 5, 1791

Parliament—Business of the House (Procedure on the Criminal Law Amendment (Ireland) Bill)

Moved, "That, at Seven o'clock p.m. on Monday the 4th day of July, if the proceedings on the Consideration of the Report of the Criminal Law Amendment (Ireland) Bill be not previously concluded, the Speaker shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair:

"Thereafter, such Amendments only may be moved as, being otherwise in Order, were printed in the Order Book when public notice of this Order was given, and the Question on such remaining Amendments, if moved, shall be put forthwith:

"Mr. Speaker may, at his discretion, take the Vote of the House, after the lapse of two minutes as indicated by the sand-glass, by calling upon the Members who support, and who challenge his decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the House, or name Tellers for a Division:

"From and after the passing of this Order, no Motion of Adjournment shall be allowed unless moved by one of the Members in charge of the Bill, and the Question on such Motion shall be put forthwith" (*Mr. William Henry Smith*) *June* 30, 1337; after debate, Question put; A. 220, N. 122; M. 98

Division List, Ayes and Noes, 1350

[cont.

Parliament—Public Petitions Committee —London Coal and Wine Duties Continuance Bill

Leave given to the Select Committee on Public Petitions to make a Special Report; Special Report, together with Minutes of Evidence, brought up, and Special Report read *June* 14, 34

Petitions to be taken into Consideration upon Monday next, and to be printed. [No. 175.]

Special Report considered *June* 20, 565

Moved, "That Reginald Bidmead, having fabricated signatures to certain Petitions presented to this House, has been guilty of Contempt and a Breach of the Privileges of this House" (*Sir Charles Forster*), 566; after debate, Moved, "That the Debate be now adjourned" (*Mr. Pickersgill*); after further short debate, Motion withdrawn

Original Question again proposed, 589; after short debate, Original Question put, and agreed to

Moved, "That Reginald Bidmead do attend this House on Thursday next, the 23rd instant, at Four of the clock, to be reprimanded by Mr. Speaker" (*Sir Charles Forster*), 591

Amendt. to leave out "to be reprimanded by Mr. Speaker" (*Mr. Picton*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Original Question again preposed, 592; after short debate, Original Question put, and agreed to

Moved, "That the Orders that the several Petitions, viz. those from Greenwich and Camberwell; Homerton and Hackney; Ilford; North Hackney; North West Ham; Dalston, Hackney, and Kingsland; South East London; Hackney and Dalston; Southwark; Bromley St. Leonard; Clerkenwell; St. Pancras; Hackney and East London; Haggerston; Bow; Notting Hill; East London; North Hackney; Lower Clapton; South East London; Lambeth; Shoreditch; City of London; West Ham; Dalston; Dulwich and Peckham; Deptford and Greenwich; Brixton and Peckham; Bromley by Bow do lie upon the Table be read and discharged; and that the said Petitions be rejected" (*Sir Charles Forster*), 593; Motion agreed to

Order for the Attendance of Reginald Bidmead read *June* 23, 783

The Serjeant-at-Arms brought him to the Bar, where he received a Reprimand from Mr. Speaker, and was then ordered to withdraw

Moved, "That what has been now said by Mr. Speaker, in reprimanding Reginald Bidmead, be entered in the Journals of this House" (*Mr. W. H. Smith*), 783; Motion agreed to

PARLIAMENT—HOUSE OF LORDS

Sat First

June 14—The Lord Vivian, after the death of his father

June 30—The Lord Silchester (Earl of Longford), after the death of his father

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

June 17—*For* Lincoln County (Spalding Division), *v.* Murray Edward Gordon Finch-Hatton, esquire, commonly called the Honourable Murray Gordon Finch-Hatton, now Earl of Winchilsea and Nottingham, called up to the House of Peers

June 30—*For* University of Dublin, *v.* Right Honble. Hugh Holmes, Judge of Her Majesty's High Court of Justice in Ireland

For North Paddington, *v.* Lionel Louis Cohen, esquire, deceased

July 4—*For* County of Middlesex (Hornsey Division), *v.* Sir James Macnaghten M'Garel-Hogg, baronet, K.C.B., now Baron Magheramorne, called up to the House of Peers

For County of Cornwall (St. Ives Division), *v.* Sir John St. Aubyn, now Baron St. Levan, called up to the House of Peers

For County of Southampton (North or Basingstoke Division), *v.* Right Honble. George Sclater-Booth, Chiltern Hundreds

For Borough of Coventry, *v.* Henry William Eaton, esquire, Manor of Northstead

New Member Sworn

July 4—Halley Stewart, esquire, *County of Lincoln* (*Holland or Spalding Division*)

Parliamentary Elections (Seamen's Vote) Bill (*Mr. Atkinson, Sir Robert Fowler, Mr. Baden-Powell, Mr. Grotrian, Mr. Thomas Sutherland, Mr. Ewart, Sir Edward Birkbeck, Mr. King, Mr. Gourley, Mr. Cavendish Bentinck*)

c. Moved, "That the Bill be now read 2°" *July* 4, 1757; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Bradlaugh*); Question put; A. 39, N. 52; M. 13 (D. L. 285) [3.15 A.M.]; Original Question again proposed, 1759; Moved, "That this House do now adjourn"" (*Mr. Illingworth*); after short debate, Motion withdrawn; Original Question again proposed, Debate adjourned [Bill 190]

Questions, Mr. Henry H. Fowler, Mr. Campbell-Bannerman; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The Under Secretary of State for the Home Department (Mr. Stuart-Wortley) *July* 5, 1794

Parliamentary Franchise (Extension to Women) Bill

Questions, Mr. Woodall; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *July* 4, 1607

PARNELL, Mr. C. S., *Cork*
Coal Mines, &c. Regulation, Comm. *cl.* 6, 726

PAULTON, Mr. J. M., *Durham, Bishop Auckland*
Coal Mines, &c. Regulation, Comm. 667; *cl.* 8, 833; *cl.* 9, Amendt. 838, 839; *cl.* 13, 880
Law and Police (Metropolis)—Arrest of Miss Cass, 1492
Supply—Public Buildings, &c. in Great Britain, 1843

Pauper Lunatic Asylums (Ireland) Superannuation Bill
(*Mr. Chance, Mr. William Corbet*)
c. Committee; Report *June* 27, 1112
Considered * *June* 30 [Bill 62]
Read 3° * *July* 4
l. Read 1ª * *July* 5 (No. 156)

PEASE, Sir J. W., *Durham, Barnard Castle*
Coal Mines, &c. Regulation, Comm. 704; *cl.* 4, 712; *cl.* 6, 729, 732, 744; *cl.* 8, 792, 816, 833; *cl.* 9, 847; *cl.* 13, 867, 879; *cl.* 14, 941, 951, 966; *cl.* 17, 978, 980, 984, 989; *cl.* 19, 992; *cl.* 21, 995; Consid. *cl.* 8, Amendt. 1103
Customs and Inland Revenue, Comm. *cl.* 20, 504; *add. cl.* 517, 524
Parliament—Business of the House, 1006
Parliament — Orders of the Day, 682; Res. 1633

PEASE, Mr. A. E., *York*
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 305, 331
Jubilee Year of Her Majesty's Reign, Celebration of—Suspension of Evictions in Ireland, 255
Stationery Office Contracts, 260

PEEL, Right Hon. A. W. (*see* SPEAKER, The)

PELLY, Major-General Sir L., *Hackney, N.*
Administration of the War Services—Lord Randolph Churchill at Wolverhampton, 270

PENTON, Captain F. T., *Finsbury, Central*
Jubilee Year of Her Majesty's Reign, Celebration of — Royal Procession — Provincial Press, 558

PICKARD, Mr. B., *York, W.R., Normanton*
Coal Mines, &c. Regulation, Comm. 655; *cl.* 6, 742; *cl.* 8, 821, 835; *cl.* 13, 842; *cl.* 14, 959

PICKERSGILL, Mr. E. H., *Bethnal Green, S.W.*
Asia (Central) — Afghanistan — Condition of Affairs, 45
Austro-Hungarian Emigrants to England, 1164
Civil Service (Great Britain)—Lower Division Clerks—Competitive Examinations—Treasury Minute of December last, 269
Criminal Law Amendment (Ireland), Consid. *add. cl.* 1184
Cultivation of Waste Lands, Res. 1524
Education Department—Number and Particulars of Civil Service Writers Employed—Exclusion from Office on Jubilee Day, 557
Egypt—Anglo-Egyptian Convention, 1038
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 267, 367
Jubilee Thanksgiving Service (Westminster Abbey)—Royal Procession—Stands at the War Office, 412
Jubilee Year of Her Majesty's Reign, Celebration of — Metropolitan Police Courts, 258, 259
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Law and Police (Metropolis)—Arrest of Miss Cass, 1493, 1820, 1829
Mines—Reports of Inspectors for 1886, 39
Parks (Metropolis)—Bathing Lakes in Victoria Park, 1595
Parliament—Business of the House (Procedure on the Criminal Law Amendment (Ireland) Bill), Res. 1345
Parliament—Orders of the Day, Res. 1653
Parliament—Privilege—Public Petitions Committee—Petitions on the London Coal and Wine Duties Continuance Bill, Motion for Adjournment, 586, 589, 592
Poor Law—Macclesfield Union—Burial of a Female Pauper, 771
Trade and Commerce — English Labour Market, 1036
War Office (Ordnance Department)—Small Arms Factory, Enfield—Discharge of Workmen, 1312, 1491

PICTON, Mr. J. A., *Leicester*
Jubilee Year of Her Majesty's Reign, Celebration of—Metropolitan Police Courts, 259
Law and Police (Metropolis)—Arrest of Miss Cass, 1822
Parliament—Business of the House (Procedure on the Criminal Law Amendment (Ireland) Bill), Res. 1346
Parliament—Privilege—Public Petitions Committee—Petitions on the London Coal and Wine Duties Continuance Bill, Amendt. 591, 592
Prisons (England and Wales) — Tenders for Drugs, &c. 1307
Supply—Customs, Inland Revenue, Post Office, &c. 1874, 1889, 1891
Furniture of Public Offices, Great Britain, 1860
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Royal Parks and Pleasure Gardens, 623
Vaccination Acts—Case of Mr. Charles Eagle, Leicestershire, 398

Pier and Harbour Provisional Orders Bill (*Lord Stanley of Preston*)
l. Read 3ª * *June* 14 (No. 103)
Royal Assent *July* 5 [50 & 51 *Vict.* c. lxxiv]

Pier and Harbour Provisional Orders (No. 2) Bill (*Baron Henry De Worms, Mr. Jackson*)
c. Read 2° * *June* 14 [Bill 276]
Report * *June* 23
Read 3° * *June* 24
l. Read 1ª * (*Lord Stanley of Preston*) *June* 27
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PINKERTON, Mr. J., *Galway*
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PITT-LEWIS, Mr. G., *Devon, Barnstaple*
Law and Justice (England and Wales)—The Assize System for Civil Business, 1016, 1017

PLAYFAIR, Right Hon. Sir Lyon, *Leeds, S.*
Coal Mines, &c. Regulation, Comm. *cl.* 17, 981; Amendt. 986

PLUNKET, Right Hon. D. R. (First Commissioner of Works), *Dublin University*
Jubilee Thanksgiving Service (Westminster Abbey)—Questions 52
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Public Buildings, &c. in Great Britain, 1832, 1833, 1837, 1838, 1839, 1844, 1845, 1847, 1848, 1849
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Survey of the United Kingdom, &c. 1903
Westminster Abbey—Coronation Chair of Edward I. 934, 1785, 1786

Pluralities Act Amendment Bill (*Sir William Hart Dyke*)
c. Read 1° * *June* 29 [Bill 303]

Pluralities Act Amendment Act (1885) Amendment Bill [H.L.] (*The Lord Bishop of Bangor*)
l. Committee *June* 17, 372 (No. 96)
Report * *June* 20 (No. 127)
Read 3ª * *June* 23
c. Read 1° * *June* 28 [Bill 301]

Police Force Enfranchisement (No. 2) Bill (*Mr. Seton-Karr, Mr. Puleston, Colonel Saunderson, Mr. Bigwood, Viscount Curzon*)
c. Bill withdrawn * *June* 14 [Bill 81]

POOR LAW (ENGLAND AND WALES) (*Questions*)
Alleged Insanitary Condition of Holyhead Union—The Inquiry by Dr. Harvey, Question, Mr. Lewis; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 24, 927
Boarding-Out of Pauper Children, Question, Viscount Wolmer; Answer, The President of the Local Government Board (Mr. Ritchie) *July* 4, 1597; Question, Viscount Wolmer; Answer, The Secretary to the Local Government Board (Mr. Long), 1600
Croydon Workhouse Infirmary, Question, Mr. Dillwyn; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 17, 393
Deportation of a Pauper from England to Ireland, Question, Dr. Commins; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 16, 248
Macclesfield Union — Burial of a Female Pauper, Question, Mr. Pickersgill; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 23, 771
Wellingborough Union, Northamptonshire, Question, Mr. Channing; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 30, 1305

POST OFFICE (ENGLAND AND WALES) (*Questions*)
Finance—Government Stock and Post Office Savings Banks, Question, Mr. Burt; Answer, The Postmaster General (Mr. Raikes) *June* 27, 1033
Officials—Higher and Lower Grades, Question, Mr. Caldwell; Answer, The Postmaster General (Mr. Raikes) *June* 17, 411
Parcel Post between England and Spain, Question, Mr. Powell-Williams; Answer, The Postmaster General (Mr. Raikes) *June* 17, 400
The London Postmen on Jubilee Day—Postal Deliveries on Bank Holidays, Question, Sir Roper Lethbridge; Answer, The Postmaster General (Mr. Raikes) *July* 1, 1477

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POST OFFICE (*England and Wales*)—cont.
The Proposed Pattern Post—Disadvantages as Compared with that of Foreign Countries, Question, Mr. Osborne Morgan; Answer, The Postmaster General (Mr. Raikes) *June* 16, 266
Trans-Pacific Mail Service—Postal Arrangements—Alternative Mail Service via *Vancouver*, Questions, Captain Colomb, Mr. Baden-Powell; Answers, The Chancellor of the Exchequer (Mr. Goschen) *June* 30, 1317
Transmission through the Severn Tunnel, Question, Mr. L. Fry; Answer, The Postmaster General (Mr. Raikes) *June* 28, 1149

TELEGRAPH DEPARTMENT
Alleged Deficit of £50,000, Question, Mr. De Lisle; Answer, The Postmaster General (Mr. Raikes) *July* 1, 1486
Telegraph Superintendents, Question, Mr. Dillwyn; Answer, The Postmaster General (Mr. Raikes) *July* 1, 1480

Post Office—East India and China Mail Contract
Questions, Mr. Hanbury, Mr. Esslemont; Answers, The Postmaster General (Mr. Raikes), The First Lord of the Treasury (Mr. W. H. Smith) *June* 30, 1304; Questions, Mr. Provand; Answers, The Secretary to the Treasury (Mr. Jackson) *July* 1, 1495
Order read, for resuming Adjourned Debate on Question [7th June], "That the Contract, dated the 18th day of March 1887, for the conveyance of the East India and China Mails, be approved;" Question again proposed; Debate resumed *June* 23, 883
Amendt. to leave out "be approved," add "be referred to a Select Committee of the House to consider the advisability of its acceptance as a whole, or of any modification thereof, or to recommend to this House such other service for the conveyance of mails to India and China as they may consider adequate and desirable, with power to call for and examine books, papers, and persons" (*Mr. Provand*), 904; Question proposed, "That 'be approved,' &c.;" after further debate, Moved, "That the Debate be now adjourned" (*Mr. Esslemont*); after further short debate, Question put, and agreed to; Debate adjourned
Debate resumed *July* 4, 1682; after debate, Question put, and agreed to; Main Question put, and agreed to

POWELL, Mr. F. S., *Wigan*
Coal Mines, &c. Regulation, Comm. 640; *cl.* 4, 709, 712, 718; *cl.* 8, 746, 785; *cl.* 13, 842, 846; *cl.* 14, 968
National Debt and Local Loans, Comm. 528
Parliament—Orders of the Day, 682
Supply—Survey of the United Kingdom, &c. 1894, 1898
Truck, Comm. *add. cl.* 1236, 1244

POWER, Mr. P. J., *Waterford, E.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 165

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POWER, Mr. P. J.—*cont.*
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Captain E. W. D. Croker, 263
Piers and Harbours—Harbour Accommodation in Donegal, 1534

POWER, Mr. R., *Waterford*
Ireland—Board of National Education—Mr. Fitzgerald, late Inspector, 1588

POWERSCOURT, Viscount
Army—Dublin Garrison, Motion for a Return, 754

POWIS, Earl of
Pluralities Act Amendment Act (1885) Amendment, Comm. *cl.* 1, 374

Presumption of Life Limitation (Scotland) Act (1881) Amendment Bill
(*Mr. Buchanan, Mr. Asquith, Mr. Bryce, Mr. James Campbell, Mr. Fraser-Mackintosh*)
c. Ordered; read 1° * *June* 28 [Bill 300]

PRICE, Captain G. E., *Devonport*
Metropolitan Police Force — Charges of Drunkenness—Sergeant Murphy, 38

PRIME MINISTER (*see* SALISBURY, Marquess of)

Prisons (*England and Wales*)—*Tenders for Drugs, &c.*
Question, Mr. Picton; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 30, 1307

PROVAND, Mr. A. D., *Glasgow, Blackfriars, &c.*
Caledonian Railway, Considd. 21
Post Office—East India and China Contract, 1495, 1496; Res. Amendt. 890, 907, 908, 1695, 1696, 1707

Public Funds, The—Investment of Small Savings, &c.—Further Legislation
Question, Mr. Fenwick; Answer, The Postmaster General (Mr. Raikes) *June* 20, 556

Public Health
Insanitary Condition of Bow Creek, Blackwall, Question, Mr. Sydney Buxton; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 23, 770
Water Supply of Swansea, Questions, Mr. Kenyon, Mr. Yeo; Answers, The President of the Local Government Board (Mr. Ritchie) *June* 28, 1157

Public Health (Scotland) Provisional Order (Cowdenbeath Water) Bill
(*The Lord Advocate, Mr. Balfour*)
c. Ordered; read 1° * *June* 14 [Bill 289]
Read 2° * *June* 22
Report * *June* 29
Considered * *June* 30
Read 3° * *July* 1
l. Read 1ª (*Marquess of Lothian*) *July* 4 (No. 154)

Public Health (Scotland) Provisional Order (Duntocher and Dalmuir Water) Bill
(*The Lord Advocate, Mr. Balfour*)
c. Ordered; read 1° * *June* 14 [Bill 288]
Read 2° * *June* 22

Public Libraries Acts Amendment (No. 2) Bill (*Sir John Lubbock, Mr. Baggallay, Mr. Arthur Cohen, Mr. Collings, Sir John Kennaway, Mr. Justin M'Carthy, Sir Lyon Playfair*)
c. Read 2° *July* 4, 1748 [Bill 220]

Public Offices—The New Admiralty and War Offices—The Sites
Question, Mr. De Lisle; Answer, the First Commissioner of Works (Mr. Plunket) *June* 28, 1155

Public Parks and Works (Metropolis) Bill (*Mr. David Plunket, Mr. Jackson*)
c. Select Committee nominated *June* 14; List of the Committee, 156 [Bill 136]

Public Worship Facilities Bill
(*Mr. Salt, Baron Dimsdale, Mr. Morrison, Mr. Whitmore*)
c. Ordered; read 1° * *June* 20 [Bill 292]

PULESTON, Mr. J. H., *Devonport*
Jubilee Thanksgiving Service (Westminster Abbey)—The Procession—Seats in Parliament Square, 43
Supply—Houses of Parliament, 1667

Quarries Bill (*The Lord Sudeley*)
l. Moved, "That the House do now resolve itself into Committee upon the said Bill" *June* 14, 7
Amendt. to leave out ("now,") add ("this day three months") (*The Lord Stanley of Alderley*); after short debate, Moved, "That the further debate on the said Amendment be adjourned to Tuesday the 5th of July next" (*The Lord President*); Motion agreed to (No. 83)

QUEEN, THE — *Celebration of the Jubilee Year of Her Majesty's Reign*
Diplomatic Representatives of His Holiness the Pope, Question, Colonel Sandys; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 272;—*His Holiness the Pope's Representatives presented at Court*, Questions, Sir George Campbell; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 27, 1022

The Graves of British Officers who fell at Waterloo — The Brussels Cemeteries — "Jubilee" Memorials, Question, Mr. Dixon-Hartland; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 16, 273

QUEEN, THE—*Celebration of the Jubilee Year of Her Majesty's Reign*—cont.
Belfast a "City," Questions, Mr. Johnston; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 14, 48; *June* 17, 415

"Jubilee" Arrangements
The Metropolitan Police Courts, Questions, Mr. C. Hall, Mr. Burdett-Coutts, Mr. Henry H. Fowler, Sir Wilfrid Lawson, Lord Henry Bruce, Mr. Cavendish Bentinck, Mr. Labouchere, Baron Dimsdale, Mr. Pickersgill, Mr. Dixon-Hartland; Answers, The Secretary of State for the Home Department (Mr. Matthews), The First Commissioner of Works (Mr. Plunket), The Postmaster General (Mr. Raikes), The Vice President of the Council (Sir William Hart Dyke) *June* 16, 255
Regulations for the Police, Observations, Earl Brownlow *June* 20, 531
Special Gratuity to the Metropolitan Police, Question, Mr. Lawson; Answer, The Secretary of State for the Home Department (Mr. Matthews) *July* 1, 1489

Adjournment of the House—The Licensing Laws—Extension of Hours on the Jubilee Night
Moved, "That this House will, at the rising of the House this day, adjourn until Wednesday" (*Mr. W. H. Smith*) *June* 20, 671; after debate, Question put, and agreed to

Suspension of Evictions in Ireland, Question, Mr. A. E. Pease; Answer, The Parliamentary Under Secretary for Ireland (Colonel King-Harman); Questions, Mr. Dillon, Mr. Mac Neill [No replies] *June* 16, 255
Judicial Business (Ireland), Question, Mr. P. O'Brien; Answer, The Parliamentary Under Secretary for Ireland (Colonel King-Harman) *June* 27, 1034

"Jubilee" Celebration
The Illuminations, Questions, Mr. J. M. Maclean, Mr. H. Gardner; Answers, The First Lord of the Treasury (Mr. W. H. Smith), The Secretary of State for the Home Department (Mr. Matthews) *June* 16, 275
Stages and Seats to View the Procession—Precautionary Measures as to Substantiality, Question, Observations, The Earl of Carnarvon, Earl Fortescue; Reply, Earl Brownlow *June* 17, 370; Questions, Sir Algernon Borthwick, Captain Penton, Mr. Childers, Mr. W. Lowther, Mr. Seton-Karr, Mr. Pickersgill, Mr. Cobb, Sir Wilfrid Lawson, Mr. Arthur O'Connor, Mr. T. W. Russell; Answers, The Secretary of State for the Home Department (Mr. Matthews), The First Lord of the Treasury (Mr. W. H. Smith), The First Commissioner of Works (Mr. Plunket), The Secretary of State for War (Mr. E. Stanhope), The Under Secretary of State for the Home Department (Mr. Stuart-Wortley), The Attorney General (Sir Richard Webster) *June* 20, 557

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QUEEN, THE—*Celebration of the Jubilee Year of Her Majesty's Reign*—cont.
The Volunteers and Volunteer Bands, Question, Mr. Stanley Leighton; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 17, 410
Post Office—The Telegraphists, Question, Sir John Kennaway; Answer, The Postmaster General (Mr. Raikes) *June* 17, 399
Post Office Servants, Question, Mr. Kelly; Answer, The Postmaster General (Mr. Raikes) *June* 17, 413

The Naval Review off Spithead, Question, Admiral Mayne; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 23, 761; Question, Lord Braye; Answer, Lord Elphinstone (A Lord in Waiting) *June* 28, 1142; Questions, Lord Braye, The Marquess of Exeter; Answers, Lord Elphinstone *June* 30, 1289; Question, Mr. W. Lowther; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 30, 1323

Satisfactory State of Public Order, Question, Admiral Sir Edmund Commerell; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 23, 780
Her Majesty's Letter of Thanks to the People, Question, Mr. Stanley Leighton; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 27, 1037; Question, Mr. Stanley Leighton; Answer, The Secretary of State for the Home Department (Mr. Matthews) *July* 1, 1478

The Forthcoming Review at Aldershot, Question, Viscount Ebrington; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 16, 254; Questions, Viscount Ebrington, Mr. Baden-Powell; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 28, 1154; Questions, Major-General Goldsworthy, Mr. C. H. Wilson; Answers, The Secretary of State for War (Mr. E. Stanhope) *June* 30, 1318; Questions, Mr. Cunninghame Graham; Answers, The Secretary of State for War (Mr. E. Stanhope) *July* 5, 1786
The Jubilee Medals, Question, Sir Algernon Borthwick; Answer, The Chancellor of the Exchequer (Mr. Goschen) *July* 1, 1479
[See under *Parliament—Lords—Commons*]

QUILTER, Mr. W. C., *Suffolk, S.*
Customs and Inland Revenue, Comm. *add. cl.* 516
Parliament—Orders of the Day, Res. 1632, 1639

RAIKES, Right Hon. H. C. (Postmaster General), *Cambridge University*
Jubilee Year of Her Majesty's Reign, Celebration of—Metropolitan Police Courts, 258, 260
Post Office—Post Office Servants, 413;—Telegraphists, 400
Post Office—Questions
Finance — Government Stock and Post Office Savings Banks, 1034

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RAIKES, Right Hon. H. C.—*cont.*
London Postmen on Jubilee Day—Postal Deliveries on Bank Holidays, 1478
Parcel Post between England and Spain, 400
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Proposed Pattern Post—Disadvantages as Compared with that of Foreign Countries, 266
Telegraph Department—Alleged Deficit of £50,000, 1486;—Telegraph Superintendents, 1481
Tender for the Conveyance of India and China Mails, 1304
Transmission through the Severn Tunnel, 1149
Post Office (Ireland)—Questions
Mail Accommodation in Co. Down, 1023
Postal Facilities during the Mackerel Season, 1489
Rural Messengers—Messenger from the Curragh Camp to Suncroft, Co. Kildare, 552
Post Office (Scotland) — First Class Telegraphists, Edinburgh—Promotion, 396
Post Office—East India and China Mail Contract, Res. 904, 907, 908
Public Funds—Investment of Small Savings, &c.—Further Legislation, 557
Supply—Customs, Inland Revenue, Post Office, &c. 1876, 1879

Railway and Canal Traffic Bill—Conveyance of Town Refuse
Question, Mr. O. V. Morgan; Answer, The Secretary to the Board of Trade (Baron Henry De Worms) *June* 23, 762

Railways
Fatal Accident at Stirling, Question, Mr. Campbell-Bannerman; Answer, The Secretary to the Board of Trade (Baron Henry De Worms) *June* 27, 1024
The Londonderry Railway (Durham), Question, Mr. Channing; Answer, The Secretary to the Board of Trade (Baron Henry De Worms) *June* 30, 1292

RASCH, Major F. C., *Essex, S.E.*
Cultivation of Waste Lands, Res. 1519
Licensing Laws — Extension of Hours on Jubilee Night, 1781
War Office (Ordnance Department) — New Sword Bayonet, 402, 765

RAVENSWORTH, Earl of
Naval Volunteers, Motion for Papers, 1140

REDMOND, Mr. J. E., *Wexford, N.*
Ireland—Questions
Board of National Education—Mr. Fitzgerald, late Inspector, 1589
Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 320, 331
Local Government Board — Confirmation Bill—Parliamentary Agents, 1779

REDMOND, Mr. W. H. K., *Fermanagh, N.*
Criminal Law Amendment (Ireland), Consid. *add. cl.* 1068, 1070, 1072, 1179
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Lunacy Commissioners—The Report, 547
Navy — Sentence on Assistant Paymaster Montgomery, H.M.S. "Duncan," 1296

REED, Sir E. J., *Cardiff*
Admiralty—H.M.S. "Impérieuse," 773

REED, Mr. H. B, *Bradford, E.*
Education Department — Bradford School Board—Raising of the Standard for Half-Time Working Children, 551

REID, Mr. R. T., *Dumfries, &c.*
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 75
Egypt—Anglo-Egyptian Convention—Ratification, Motion for Adjournment, 1329
Russia and France, 1321, 1322
Ireland—Evictions—Evictions at Bodyke, Co. Clare—Conduct of the Constabulary, 293
Parliament—Orders of the Day, Res. 1656

Returning Officers' Expenses Bill
(*Mr. Stansfeld, Mr. John Morley, Mr. Broadhurst, Mr. Picton*)
c. Ordered; read 1° * *June* 20 [Bill 293]

REYNOLDS, Mr. W. J., *Tyrone, E.*
Coal Mines, &c. Regulation, Comm. *cl.* 17, 982

RICHARD, Mr. H., *Merthyr Tydvil*
Intermediate Education (Wales)—The Bills, 1319

RITCHIE, Right Hon. C. T. (President of the Local Government Board), *Tower Hamlets, St. George's*
Hydrophobia, Select Committee on, and the Experiments of M. Pasteur—The Report, 934
Law and Justice (England and Wales)—Office and Position of Sheriffs, 402
Local Government Board—Census of the Working Class Population in London—Foreign Pauper Immigrants, 37
Market Rights and Tolls—Constitution of the Royal Commission, 249, 776
Merchandise Marks Law Consolidation and Amendment, Comm. *cl.* 4, 1746
Parliament—Divisions in this House—Improvement in Registering the Votes, 564
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RITCHIE, Right Hon. C. T.—*cont.*
Poor Law (England and Wales)—Questions
Alleged Insanitary Condition of Holyhead Union—Inquiry by Dr. Harvey, 928
Boarding-Out of Pauper Children, 1598
Croydon Workhouse Infirmary, 393
Deportation of a Pauper from England to Ireland, 249
Macclesfield Union—Burial of a Female Pauper, 771
Wellingborough Union, Northamptonshire, 1306
Public Health—Insanitary Condition of Bow Creek, Blackwall, 770
Water Supply of Swansea, 1158
Rural Sanitary Districts—Local Rates Assessment—Rating of Demesnes, Mansions, and Parks, 1529
Trade and Commerce — Destitution among Iron-Workers at Tipton, 1038, 1496
Vaccination—Questions
Census for and against the Compulsory Provision—Parish of Rotherhithe, 933, 934
Compulsory Vaccination — Result of a House-to-House Inquiry in 65 Cities and Towns of England, 924
Lewis Miller (Uckfield Union), 1295
Origin of the Vaccine Matter in Present Use, 255

ROBERTS, Mr. J., *Flint, &c.*
Magistracy (England and Wales)—Flintshire Magistrates, 1772;—Mr. B. E. Phillips, J.P., 1772;—Mr. Thomas Wynne Eaton, 766

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Tramways Provisional Orders (No. 2) Bill (*Baron Henry De Worms*)
c. Report * *June* 20 [Bill 271]
Considered * *June* 22
Read 3° * *June* 23
l. Read 1ª * (*Lord Stanley of Preston*) *June* 24
Read 2ª * *June* 30 (No. 133)
Committee * *July* 4

Tramways (War Department) Bill (*Mr. Northcote, Mr. Edward Stanhope, Mr. Brodrick*)
c. Read 2° * *June* 30 [Bill 246]

TREASURY—First Lord (*see* SMITH, Right Hon. W. H.)

TREASURY—Secretary to (*see* DOUGLAS, Mr. A. AKERS-)

TREASURY—Secretary to (*see* JACKSON, Mr. W. L.)

Truck Bill (*Mr. Bradlaugh, Mr. Warmington, Mr. John Ellis, Mr. Arthur Williams, Mr. Howard Vincent, Mr. Esslemont*) [Bill 109]
c. Committee; Report *June* 28, 1223

Truck Bill
Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *July* 5, 1795

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Weekly Payment of Wages in Ireland, Question, Mr. Sexton; Answer, The Secretary of State for the Home Department (Mr. Matthews) *July* 1, 1497

Truro Bishopric and Chapter Acts Amendment Bill [H.L.]
(*The Lord Bishop of Truro*)
l. Royal Assent *July* 5 [50 & 51 *Vict.* c. 12]

Trust Companies Bill
(*The Lord Hobhouse*)
l. Read 1ª * *July* 1 (No. 151)

Trusts (Scotland) Act (1867) Amendment Bill
(*The Marquess of Lothian*)
l. Read 2ª *July* 4, 1578 (No. 117)

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Question, Mr. Watt; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 17, 403

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ment (Mr. Stuart Wortley) *June* 27, 1028; Questions, Mr. Kenyon, Mr. Swetenham, Mr. Stanley Leighton, Mr. T. E. Ellis, Mr. Bryn Roberts, Mr. Bowen Rowlands; Answers, The Secretary of State for the Home Department (Mr. Matthews) *June* 28, 1151

WALLACE, Mr. R., *Edinburgh, E.*
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WARDLE, Mr. H., *Derbyshire, S.*
Coal Mines &c. Regulation, Comm. *cl.* 16, Amendt. 976

Waste Lands, Cultivation of
Amendt. on Committee of Supply *July* 1, to leave out from "That," add "in the opinion of this House, ownership of land should carry with it the duty of cultivation, and that in all cases where land capable of cultivation with profit, and not devoted to some purpose of public utility or enjoyment, is held in a waste or uncultivated state, the local authorities ought to have the power to compulsorily acquire such land by payment to the owner for a limited term of an annual sum not exceeding the then average net annual produce of the said lands in order that such local authorities may in their discretion let the said lands to tenant cultivators, with such conditions as to term of tenancy, rent, reclamation, drainage, and cultivation respectively as shall afford reasonable encouragement, opportunities, facilities, and security for the due cultivation and development of the said land" (*Mr. Bradlaugh*) *v.*, 1501; Question proposed, "That the words, &c.;" after debate, Question put; A. 97, N. 173; M. 76 (D. L. 279)
[7.15 P.M.]

Water Companies (Regulation of Powers) Bill (*Mr. Fulton, Captain Colomb, Mr. C. R. Spencer*)
c. Read 2°, after short debate *July* 4, 1760
[Bill 141]

Water Provisional Orders Bill
(*Baron Henry De Worms, Mr. Jackson*)
c. Read 3° * *June* 14 [Bill 250]
l. Read 1ª * (*Lord Stanley of Preston*) *June* 16
Read 2ª * *June* 28 (No. 126)
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WATKIN, Sir E. W., *Hythe*
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Duty on Tobacco—The Moisture Clause, Question, Mr. Hooper; Answer, The Chancellor of the Exchequer (Mr. Goschen) *June* 27, 1031

Ways and Means
Considered in Committee *June* 27
Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1888, the sum of £13,675,659, be granted out of the Consolidated Fund of the United Kingdom
Resolution reported *June* 28

WEBSTER, Sir R. E. (Attorney General), *Isle of Wight*
Allotments and Cottage Gardens Compensation, Comm. *cl.* 5, 1415; Amendt. 1416, 1417, 1418; *cl.* 6, 1423; *cl.* 8, 1425
Criminal Law Amendment (Ireland), Comm. *cl.* 6, 112, 119, 145, 146, 460, 461, 468, 469, 471, 472, 473, 474; Consid. *add. cl.* 1052, 1062, 1076, 1086, 1176, 1178, 1185, 1186, 1222, 1275, 1324
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WILLIAMS, Mr. A. J., *Glamorgan, S.*
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WILSON, Mr. H. J., *York, W.R., Holmfirth*
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WORTLEY, Mr. C. B. STUART- (Under Secretary of State for the Home Department), *Sheffield, Hallam*
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END OF VOLUME CCCXVI., AND SEVENTH VOLUME OF SESSION 1887.

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